

HOUSE OF ASSEMBLY**Wednesday 9 December 1998**

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

**PARLIAMENTARY SUPERANNUATION
(ESTABLISHMENT OF FUND) 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.

POKER MACHINES

A petition signed by 226 residents of South Australia requesting that the House urge the Government to introduce legislation on poker machines that supports measures to give local residents the power to object to their installation, bans their advertising and have them phased out was presented by Ms Bedford.

Petition received.

RADIOACTIVE WASTE

A petition signed by 617 residents of South Australia requesting that the House urge the Government to oppose the establishment of a radioactive waste dump at Billa Kalina was presented by Ms Breuer.

Petition received.

BATTERY HENS

A petition signed by 2 167 residents of South Australia requesting that the House urge the Government to pass legislation that progressively phases out battery hen egg farming and the sale of eggs from these sources was presented by Ms Ciccarello.

Petition received.

**NORTH EASTERN COMMUNITY ASSISTANCE
PROJECT**

A petition signed by 341 residents of South Australia requesting that the House urge the Government to provide ongoing funding for the North Eastern Community Assistance Project was presented by Mrs Geraghty.

Petition received.

GULF ST VINCENT

A petition signed by 95 residents of South Australia requesting that the House urge the Government to support the enforcement of penalties for breaches of provisions of the Environment Protection Act on organisations whose activities pollute the Gulf of St Vincent was presented by Ms Rankine.

Petition received.

NOARLUNGA HOSPITAL

A petition signed by 2 701 residents of South Australia requesting that the House urge the Government to fund intensive care facilities at the Noarlunga Hospital was presented by Ms Thompson.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

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

Living Health, Report, 1997-98

By the Minister for Recreation, Sport and Racing (Hon. I.F. Evans)—

Thoroughbred Racing Authority, South Australian—
Report, 1997-98

By the Minister for Local Government (Hon. M.K. Brindal)—

Outback Areas Community Development Trust—Report,
1997-98.

WASTE MANAGEMENT

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: In December 1993 the then State Government entered into a memorandum of understanding with the Local Government Association to form the Local Government Recycling and Waste Management Board, Recycle 2000. This agreement has seen some \$6.3 million paid to Recycle 2000 since 1993-94, with some \$4.7 million spent on programs in the metropolitan area. Recycle 2000, over its planned five year lifespan, assisted in the steady expansion of recycling services and has promoted the pressing need to develop markets and to value add to our recyclables. I thank the board and the staff of Recycle 2000 for their efforts and commitment.

While Adelaide's recycling performance is equal to or better than that of most Australian States, it needs to do even better with its kerbside collection systems. Further, it is imperative that we now take a broader approach to waste minimisation, promoted by a body that can encourage action across the whole waste stream, if waste reduction goals are to be achieved in the future.

Today a new Waste Management Committee has been created to take over and broaden the role of Recycle 2000, through the signing of a memorandum of understanding with the Local Government Association, the Employers' Chamber of Commerce and Industry and the Environment Protection Authority. Importantly, the new Waste Management Committee will provide a report on the longer-term arrangements necessary to see our waste management and resource recovery systems significantly improve as we approach the new millennium. This new body will be established under the Environment Protection Act as a special committee of the Environment Protection Authority, with appropriately delegated powers and equal representation from industry, State and local government. The new committee will:

- Take over the assets, roles and functions of Recycle 2000 and give expert advice in relation to waste management matters;

- continue to be funded from the \$1 per tonne of waste received at metropolitan landfills, as well as the Recycle 2000 reserves as at the end of December 1998 (approximately \$1.3 million);
- investigate and make recommendations (by no later than 30 June 1999) to the parties to this memorandum in relation to options for long-term waste management arrangements;
- make recommendations to the parties to this memorandum in relation to strategic planning for waste management, including the identification of objectives and strategies;
- advise and make recommendations to the authority with respect to a new environment protection policy on waste management;
- apply for and receive funds to enable it to perform its roles and functions that may result from the development of the National Packaging Covenant, a scheme being negotiated by the Commonwealth, all States and Territories to deal with the recycling of packaging.

I wish the new committee well in its deliberations and in its difficult task. With the new era of cooperation between the Parties, with their genuine commitment to waste management issues, I believe that the new committee will be a major influence on waste management initiatives in South Australia

QUESTION TIME

MOTOROLA

The Hon. M.D. RANN (Leader of the Opposition):

Given that the Government is now apparently proceeding with its plans to appoint former Chief Magistrate Jim Cramond to head the Motorola inquiry, and given that the Premier has now finalised agreement with the member for Chaffey on the terms of reference for that inquiry, including those parts dealing with the Premier's own actions and statements, why has the Premier failed to make a ministerial statement to the House today on those terms of reference, before flying to Melbourne for the golf?

The Hon. J.W. OLSEN: The Prime Minister is having a dinner in Melbourne this evening, for which I asked for a pair, and the Leader of the Opposition declined. I have cancelled the Prime Minister's dinner in Melbourne because the Leader of the Opposition, in a petty way, declined my request for a pair to enable me to attend a forum with the Prime Minister and the Premiers of the other States. Petty as he might be, we have become accustomed to this sort of approach from the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order! I call the Leader to order.

The Hon. J.W. OLSEN: The Attorney will issue a statement when matters are finalised.

ELECTRICITY, PRIVATISATION

Mr HAMILTON-SMITH (Waite): Will the Premier advise the House whether the Government is confident that the current level of dividend paid by the State's power utilities will continue to flow to the budget if assets remain in public hands?

The Hon. J.W. OLSEN: This question goes to the nub of the approach of the Government on this issue. With the advent of the National Electricity Market, there will be significant risks for operators of South Australian power utilities, whether they are owned by the private sector or the

public, that is, the taxpayers of South Australia. Fundamental to our approach on this issue has been the view that South Australian taxpayers should not be asked to bear that risk—a risk identified by the Auditor-General in December last year. They should not have their money put at risk in a highly competitive deregulated market, as happened with the State's financial institutions in the past—and we are still struggling with that legacy of inaction by the former Administration in relation to the State Bank.

It is true that ETSA and Optima are currently profitable. But I am not sure whether members opposite, or Mr Xenophon, have ever really questioned the basis of that profitability. Where is the profitability, and how has it been established? If we go back to 1988, ETSA and Optima between them—

Mr Foley interjecting:

The SPEAKER: Order! I call the member for Hart to order.

The Hon. J.W. OLSEN: —employed almost 6 000 people. The then Labor Government started a process—and well the member for Hart might interject—of dramatic reductions in employment so that, by the time we took office, the number of employees had been reduced past 3 000. Currently, the number of employees is some 2 500. So, it was the Labor Administration that started the very significant downsizing of ETSA and Optima in South Australia. I do not have any argument with that. But let members opposite not be hypocritical: it was they, of policy necessity, who pursued that course.

In 1988, South Australia produced all the energy it required. In 1998, 10 years later, 40 per cent of our electricity comes from low cost coal-fired power stations across the border in Victoria, on the interconnector built by the former Labor Administration. Therefore, the growth in profits—and this is the point for the member for Hart—of ETSA and Optima over the past two years has been based on a reduction in employment and access to cheap electricity, which is being sold at a much higher price. To increase the profit in the future will require further cost reductions and continued access to cheap power. How does one achieve further cost reductions? There is only one substantial way, and that is further substantial reduction in employment levels in ETSA and Optima.

These are the stark choices that will face South Australians and this Parliament in the next 12 months or so. This stark choice will be put to the Labor Party, that policy free zone in this State, as to what course of action the Labor Party wants this Parliament to sign off on. Do Labor members want increased taxes? Do they want to reduce services? I notice that representatives of the Public Service Association are in the gallery today. I will go so far as to say that, in terms of productivity and efficiency gains and cutting out inefficiencies in delivery of public services, we have gone as far as we can go. That leaves only two choices: either we increase taxes or we go into deficit funding.

If the State goes into deficit annual funding, the implications for credit rating purposes are that we will be disadvantaged. That means that, for the debt that we continue to carry as a result of the Labor Party's intransigence on this matter, we will continue the debt and therefore continue the interest bills. We will not walk away from this issue, and the stark choice will be put back to the Labor Party next year—the stark choice that is facing the Government of South Australia.

To come back to my point, we also see put at risk the dividends from ETSA and Optima. The national electricity

market starts on 13 December, four days from now, and it will incorporate South Australia. That will enable large companies like Western Mining to search for the best power price they can get. Western Mining, which consumes between 15 and 20 per cent—

The Hon. M.D. Rann: Ian Webber is on the board—

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for continuing to interject after he has been called to order.

The Hon. J.W. OLSEN: The profits or the dividends of ETSA are predicated on maintenance of revenue or sales. One company—Western Mining—generates between 15 and 20 per cent of ETSA's revenue. It has made it clear that it will source its power from the cheapest source, and at the moment that looks like Victoria. If Western Mining shifts on a contractual basis, as it can on 13 December, and buys all its power from Victoria, that will be 15 to 20 per cent off the top of the revenue or sales of ETSA in South Australia, and that comes off the dividends and the profitability of ETSA.

The people who have their head in the sand with their simple proposition that we should hang onto the assets and get the dividends *ad infinitum* are living in a fool's paradise. It will not happen. In the past week—it was reported last Friday—the Auditor-General in New South Wales, no less, spoke about a 94 per cent reduction in the profitability of the generators in New South Wales as a result of the competitive market. Between now and early next year when this House and this Parliament will have another opportunity to consider this matter, we will see the question of Riverlink move to a more certain position, and the question of Pelican Point and additional generation will be sorted out, but importantly it will also demonstrate how the national electricity market will start to impact on sales in South Australia, and therefore revenue and dividends for ETSA, and part of the risk will be exposed.

Hopefully in the next few months members opposite and Mr Xenophon will start to see the amalgam of these forces that nobody can stop, that are rolling in on South Australia, forces that we mean to take account of for the long-term future of our kids. These forces will become clear in the next few months.

Mr Conlon interjecting:

The Hon. J.W. OLSEN: I know that the member for Hart is somewhat disappointed.

Members interjecting:

The Hon. J.W. OLSEN: The 'Fonlons', Mr Speaker! We can see them together. I bet that the Leader of the Opposition choked on his Weeties last Saturday morning when he read the article about the 'Fonlons', this collaborative group working closely together.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The member for Hart is in some difficulty in this, because he tells the business community, 'I hope they sell it.' The member for Hart, misguided as he is, goes around telling everybody that he will be the next Treasurer in South Australia. God help South Australia if ever that were to occur. The member for Hart keeps telling the business people, 'Take notice of me; I will be the next Treasurer.' The member for Hart is a realist if he is nothing else. He would not want to have a Treasury that is absolutely broke. The member for Hart, despite his statements in this House, secretly wanted this deal to go through so he could

have it both ways and could take us on politically, as we have seen him do in this Parliament in the past month or two—have a go, take the political one-upmanship, at the same time trying to reap the reward in the fullness of time. Neither of them will come to pass for the member for Hart.

The only way that you can guarantee the dividends out of ETSA and Optima in the future is to increase the price of electricity. It is the only guarantee. Is the Opposition seriously contending that it will take the 2 500 employees down to 2 000, 1 500 or 1 000? It is a rhetorical question to the Leader of the Opposition and members opposite. How will they maintain the dividends? How will they maintain the revenue stream of ETSA and Optima? Given the national electricity market, the only way the Leader of the Opposition and Opposition members can maintain in the future—on their policy—the dividends from ETSA is to increase prices. That is not what we on this side of the House will support.

We do not support increasing power prices on South Australians, either on residential consumers or on business consumers. We want a conducive business climate and, as I have said on a number of occasions in this House, a conducive business climate is important for investment. General Motors is saying—and I repeat it again for the benefit of the member for Elder—that it is producing a motor vehicle for the domestic market in Australia out of South Australia: it is competing against Ford in Victoria, but Ford in Victoria has electricity prices or input costs that are lower than those that apply in South Australia. General Motors wants its costs reduced so it can compete. And General Motors is a success story—

Members interjecting:

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

The Hon. J.W. OLSEN:—in that it is exporting currently to the Middle East and South America. The only way that we will guarantee that that company will continue to invest, expand and grow, and create more jobs is to make sure that the input costs such as power are nationally and internationally competitive. That is the basis of our policy thrust. It is a thrust that will continue—

An honourable member interjecting:

The Hon. J.W. OLSEN: I know you couldn't, because this is just too complicated for you. You wouldn't even understand the basics of it. What we are trying to do is position this State so it has an economic future. The member for Lee is a member of a Party that effectively destroyed the economic future of South Australia. We are rebuilding the focus of South Australia in the future. In doing so, we will not adopt the policy that increases prices on consumers, and we will not put at risk competition payments for South Australia. It is about creating a viable future for this State.

Members interjecting:

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

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for the third and last time. The House will come to order and settle down.

The Hon. M.D. RANN (Leader of the Opposition): Given that the Premier has repeatedly stated that electricity privatisation is central to his Government's agenda, will he declare electricity privatisation or lease legislation to be debated in this House early next year a Bill of special importance, or will he bring on a motion of no-confidence against his own Government? They look confused; I can

understand why. In a press conference on 25 November 1997, after his disastrous State election performance, the Premier stated that, if key legislation was blocked, the Government could bring on an election by deliberately losing a motion of no-confidence against itself. A media report states:

Mr Olsen said he would rather risk being thrown out of government at an early poll than 'keep a seat warm' . . .

Will he save his colleagues the time by voting for a no-confidence motion in his own leadership?

The Hon. J.W. OLSEN: The real choice and the real test will be on the Opposition next year. We are preparing now a number of measures to be put before this Parliament next year, and the stark choice will be that of the Leader of the Opposition. The Leader of the Opposition can make up his mind on a range of tax increases on South Australians. The Leader of the Opposition can make up his mind on when he will cut and decimate further essential services and the provision of them in South Australia. The Leader of the Opposition can make up his mind and vote on whether he will increase the deficit on which they did such a good job the last time they were in government. Let us not slither away. The Leader of the Opposition—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I am sorry to interrupt the Premier. I warn the Leader; I expect him to abide by the Standing Orders the same as any other member. The Leader of the Opposition has been warned on three occasions now and, if he continues to interject when he has been called to order, I will have no option but to name him.

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart.

Mr Foley: I just said, 'It's funny.'

The SPEAKER: Order! I warn the member for Hart for the second time.

The Hon. J.W. OLSEN: The Government will be putting the stark choice. This policy free Opposition, which has put no alternative but simply to block, stall and say 'No' to any policy initiative put up by this Government in the course of the past year, will have the stark choice put on the table. It will be interesting to see next year what the Opposition does, because what we will have next year is, first, Pelican Point resolved; secondly, Riverlink moved forward—

Ms Breuer interjecting:

The Hon. J.W. OLSEN: The member for Whyalla is trying to impress council members who are observing proceedings today. I have answered the honourable member's question in relation to the power facility in Whyalla. The stark choice will be put to the Opposition. And let me go back and repeat that, by the time we get to considering this question next year in the Parliament, a number of matters will have been sorted out. First, the real risk of the national electricity market will become evident; secondly, Riverlink will have a part resolution; and, thirdly, certainly Pelican Point will be resolved. They are the questions put forward by Mr Xenophon yesterday as to reasons why he could not support a lease at this stage.

Over the next few months, a number of these matters will be resolved. If they are resolved, the excuse starts to dissipate and, when the excuse dissipates and we get the facts and the stark choices on the table, it will be interesting to see the whites of their eyes on that occasion.

RIVERLINK

The Hon. G.A. INGERSON (Bragg): Will the Premier advise the House of the progress of the review of the rules which govern a proposed interconnector receiving regulated status?

The Hon. J.W. OLSEN: The question asked by the member for Bragg is particularly important, because Mr Xenophon has suggested that the Government 'pulled the plug' on the plan to build the Riverlink connector. Of all the reasons we have heard for deciding not to relieve South Australian taxpayers of the burden of the State Bank debt, that must be the most intellectually dishonest. As has been explained time and again, the Government did not stop Riverlink: that was a decision of the National Energy Market Management Company (NEMMCO). Following that decision, and at the request of the New South Wales Government—and I hasten to point out a Labor Government in New South Wales—a review of the rules governing whether or not it will have regulated status is being conducted by the ACCC.

The South Australian Government has no objection—absolutely no objection—to Riverlink. We have told its promoters that, as soon as they make the commitment, they will receive all the support that we can give them. They have declined to take that risk and build the line because regulated status for Riverlink means that the owners of the line, proposed to be Transgrid (New South Wales Government Trading Enterprise), will receive a guaranteed return on their investment. Why should consumers in this State be locked into guaranteeing a Government business enterprise interstate?

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the last time.

The Hon. J.W. OLSEN: As I said, these profits would be paid by electricity consumers in South Australia. We will not consign consumers of electricity in this State to guaranteeing and underwriting risks of a Government business enterprise from another State, particularly a Labor State at that. For Riverlink, those profits will mean \$15 million to \$20 million per year in increased transmission charges to South Australian electricity consumers, and we will not inflict an extra \$15 million to \$20 million on electricity consumers in South Australia.

The New South Wales Labor Government has claimed large benefits, but if Riverlink has regulated status they will face no consequences if these benefits do not eventuate while collecting their guaranteed profits: that is an essential concern of this Government, and that has been explained to Mr Xenophon in clear detail.

Returning to the review of the ACCC that I mentioned a moment ago, the ACCC held a meeting in Canberra this week to discuss the draft report from Ernst and Young, and one of the key principles of that draft report is as follows:

If anticipated benefits do not eventuate, there should be a clear and direct relationship between the loss of benefits and any impact on the transmission network service provider [which in this case is Transgrid].

That would address one of the major concerns of the Government. Let them carry the risk; do not put it onto the consumers of electricity in South Australia. If that recommendation in the consultants' report as part of the ACCC review is agreed to, it will be interesting to see, if this new rule is adopted, whether Mr Xenophon's friends will be so ready to make their investment.

MOTOROLA**The Hon. M.D. RANN (Leader of the Opposition):**

Given that following the Government's use of its numbers to prevent a privileges committee into whether the Premier misled the Parliament the Premier then personally announced that his Motorola actions would be investigated by the Solicitor-General, Mr Brad Selway, can the Premier now give the House an assurance that the terms of reference, already agreed and finalised with the member for Chaffey, will require a report on the central question of whether over four years the Premier misled this Parliament over his Motorola deal?

The Hon. J.W. OLSEN: Again, the premise of the Leader's question is wrong. I have not at any stage misled this House. That is a clear contention which I have and maintain quite strenuously. As I have said before, I look forward to apology from the Leader of the Opposition and, knowing that he does not have the good grace ever to do so, I look forward to receiving one from the media.

WATER SUPPLY

Mr CONDOUS (Colton): My question is directed to the Minister for Government Enterprises. What initiatives could the Government contribute in relation to water services if access to capital was improved?

The Hon. M.H. ARMITAGE: I thank the member for Colton for his very important question which clearly identifies the fact that a number of South Australians are waiting for the development of a range of Government services, and not only in the water area. The ALP's opposition to the sale of ETSA and the money which would flow from that sale has in fact condemned those South Australians to wait longer, perhaps decades longer, than they otherwise may have had to do.

With my portfolio responsibilities for water, I am acutely aware of the needs of South Australians to receive quality filtered water, particularly in country and regional areas, not only for the residents themselves but also for industries such as tourism, food, and so on. I am advised that 114 000 South Australians receive all or some of their water from unfiltered sources. For example, 10 000 people receive unfiltered Murray River water and a further 14 000 people are still reliant on ground water of varying and, I guess it would be fair to say, some times dubious quality. These are not necessarily just remote communities where hardship could be said to be inevitable because of the tyranny of distance, but they—

The SPEAKER: I remind the cameramen in the gallery of the rules on filming.

The Hon. M.H. ARMITAGE:—may, in fact, be country and, indeed, communities such as Callington, Cudlee Creek, Birdwood, Blanchetown, Paringa, etc., commuting to Adelaide. I am delighted that representatives of the Whyalla council are present today because I pose a question to the member for Giles. Country and regional South Australia, including Whyalla, are faced with the need to upgrade waste water treatment plants. I ask the member for Giles, acknowledging that representatives of her council are present in the gallery: how can the honourable member justify insisting on continued public ownership of a service such as ETSA when to do so denies her constituents of Whyalla the flow of funding that would provide them with an improvement in public infrastructure? How can the member for Giles do that?

Labor cannot just blame the Hon. Mr Xenophon. I know that is what it will try to do, but it will move the blame to Mr Xenophon only if the people of South Australia fail to realise that Mr Xenophon in another place has the casting vote for the future of South Australia only because the Labor Party has given it to him. The needs of country and regional South Australia for improved infrastructure will last long after the Hon. Mr Xenophon's name is forgotten from the annals of South Australian politics. But, like the State Bank, the odour and the odium will lie on the Labor Party much, much longer if it does not allow access to the capital which the sale or lease of ETSA would provide.

The Hon. D.C. Wotton interjecting:

The Hon. M.H. ARMITAGE: Indeed, as the member for Heysen says, the Democrats also have the same responsibility because it is they, combined with the Labor Party in another place, who have given the Hon. Mr Xenophon the power to hold a gun at the head of the future of South Australia. The Opposition and the media tried to make much of water quality issues during 1998, especially in the context of Sydney Water's failure and SA Water's success in keeping our product water giardia free.

SA Water continues to achieve remarkable results with its available resources, but to maintain the world-class services which SA Water wants to give to South Australians and which South Australians, frankly, have a right to expect does require the funds that the sale of ETSA would release. The Opposition, frankly, can have no credibility in raising issues such as water quality in the future, in my portfolio area in particular, because, as we face challenges to maintain water quality from, for argument's sake, multiple use catchments, we also have a need to invest money in our water infrastructure. The Labor Party, the Democrats and Mr Xenophon are denying South Australians access to that capital and, hence, access to world-class services.

MOTOROLA

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Minister for Human Services. Given the importance of the Motorola contract inquiry to the future of the Olsen Government and the Minister's central role in the contract as the former Premier, will he agree to give evidence to the inquiry? Yesterday the Premier told the House that the question of whether the former Premier gave evidence to the inquiry was an issue without substance.

The SPEAKER: The Chair is of the view that the Minister has no responsibility, as far as his portfolio is concerned, for this particular issue. I do not see a requirement for the Minister to answer unless he desires to speak on the subject.

The Hon. DEAN BROWN: I do not know the terms of reference of the inquiry, so I cannot comment. I know of no such inquiry.

Mr Conlon interjecting:

The SPEAKER: Order! I warn the member for Elder.

KOALAS

Mr McEWEN (Gordon): Given that to date the koala management plan on Kangaroo Island has cost in excess of \$600 000 and that the program is to continue for another two years, will the Minister for Environment and Heritage please advise the House of the expected total expenditure on the koala management program?

The Hon. D.C. KOTZ: I think that members in this House are well advised of the background to the introduced population of koalas on Kangaroo Island which caused some very serious over-browsing of native tree species. I believe that, as far back as 1994, the koala population size was estimated at between 3 000 and 5 000. It was recognised at that time that, if the koala population was not managed to limit numbers, over-browsing would not only kill the trees and cause degradation to the riparian habitats but also cause a food shortage for the koala population, which would lead to starvation for many animals.

In 1996, if I remember correctly, the Government, in response to national and international concerns, rejected the option of culling koalas to control their population size and approved a management strategy. At that time the overall budget was \$635 000, which was provided for implementing the strategy over an 18 month period from January 1997 to June 1998. The Commonwealth also provided funds for the project totalling \$150 000, and the remaining \$485 000 was provided as a special allocation from the State Government. A public appeal called 'Koala Rescue' was also introduced at the time, and a sponsorship program was established to attempt to recoup some of the State's component.

The total cost of the program over 18 months was \$611 642. By the end of June 1998 a total of 2 500 koalas had been sterilised in heavily over-browsed areas, mainly along the Cygnet River on Kangaroo Island, and 850 koalas have been relocated to suitable habitat in the South-East. Taking into account the number of koalas translocated to the South-East, about 80 per cent of the Cygnet River population has now been sterilised. I am advised that the effect of the sterilisation program on population size should start to have an impact throughout the 1998-99 breeding season.

The required budget for 1998-99 is \$259 000 and \$2 440 for 1999-2000. These funds are being provided from the department's recurrent budget. The fertility control and monitoring program will therefore continue for a further two years to achieve what we believe will be the appropriate level of population control. At this stage the program will be reviewed, although I advise the honourable member that by then it is anticipated that it will have reached a very low level of maintenance.

MOTOROLA

Mr CONLON (Elder): Will the Premier guarantee that there will be no interference with or harassment of the person conducting the inquiry into whether the Premier misled the House over the Government's deal with Motorola? In the inquiry by Mr Anderson QC into allegations of conflict of interest by the former Finance Minister the Government refused to hand over key documents; the Premier refused to table the full report (after having made a commitment to do so); Mr Anderson's office was cleared without his knowledge; and Mr Anderson was denied a copy of his own report and supporting documents. So, the question is not so unreasonable.

Members interjecting:

The SPEAKER: Order! I call the member for Schubert to order.

The Hon. J.W. OLSEN: What the Opposition is demonstrating clearly today is that it has no substantive questions to ask about South Australia's future or its economic base. Members opposite are absolutely bereft of questions. Of course there will be no harassment.

SOUTH-EAST WATER

Mr WILLIAMS (MacKillop): In view of her statements regarding having management plans in place before problems arise, will the Minister for Environment and Heritage explain to the House why the northern part of the region that falls within the boundaries of the South-East Catchment Water Management Board has not been prescribed under the Water Resources Act 1997? The Water Resources Act empowers catchment water management boards only with respect to resources prescribed under that Act. I understand that representatives from the South Australian Farmers Federation have raised concerns with the Minister regarding unregulated pressure on the resource in this area, as have I after approaches from constituents. All other parts of the board's area have been prescribed.

The Hon. D.C. KOTZ: I thank the honourable member for his very important question. The Water Resources Act 1997, as most members of this House would now know, sets out criteria under which the Government can take action to regulate water areas by prescription. In simple terms, this relates to the sustainability and quality of the water source. If either is determined to be at risk, prescription is certainly an action that the Government can take under the Water Resources Act. We also understand that water is intrinsically linked to the environment, and the balance between the use of water and the environmental sustainability of the environment and water is the reason why the Government established the water catchment boards.

I am not sure exactly what area the honourable member is talking about but, if he is talking about the Tatiara area, that is already a prescribed area of the State. If the honourable member has had any advice that any area is at risk, I suggest that he bring those concerns to me and identify the areas. To my knowledge, at this time I have not had any representation from the South Australian Farmers Federation about looking at any action on any aspect of the area to the north, although it may be in train and has not yet reached me. I certainly have not had discussions with the South Australian Farmers Federation along those lines.

The catchment water management boards have the power to recommend to me that, if an area is perceived to be at risk or if they have the technical advice that an area is at risk, their boundaries be increased, particularly if we are talking about an area adjacent to catchment regions already established. If the honourable member has specific information that he would like me to look at in those terms, I would be more than happy to receive it from him.

MOTOROLA

Mr CONLON (Elder): Given that the Premier yesterday agreed to table the Motorola contract report, will he now give a clear and unequivocal commitment also to table all relevant documents including all correspondence from Motorola to the Government and, in particular, Motorola's reply to the Premier's letter dated 14 April 1994?

The Hon. J.W. OLSEN: In accordance with not breaching any practices of the Parliament, for example, IDC minutes, which will no doubt be a subject for consideration, and complying with all those ordinary processes and practices of the Parliament, the answer would be 'Yes.'

MINERAL AND ENERGY EXPLORATION

Mrs PENFOLD (Flinders): Will the Minister for Natural Resources and Regional Development please explain the level of support and incentives that this Government is providing to attract potential mineral or energy exploration companies to South Australia?

The Hon. R.G. KERIN: As the honourable member knows, the Government is very keen on prospecting for both minerals and gas, and we are providing a wide range of both support and incentives to attract potential mineral and energy exploration companies to South Australia. The Government provides industry, including potential new players to the State, with a wide range of high quality data at a very cheap price, as well as advice in relation to exploration and development. That is now available from the new Minerals and Energy Centre in Grenfell Street.

The provision of the data is a very strong incentive for explorers to focus on South Australia, and we have committed \$23.2 million over the next four years for our regional exploration program. This includes \$10 million to fund new data gathering programs for those areas of the State that are regarded as under-explored. The investment, therefore, is certain to attract new explorers, and we would also like to see far more activity from our existing explorers. South Australia's mineral and energy resources will also be marketed to overseas and interstate investors to promote new mining developments under an initiative that we announced last week.

Last week in South Australia was Resources Week, which brought a lot of interstate people to Adelaide, and during that week we launched a new publication for distribution in Australia and overseas to encourage new exploration opportunities in this State. The mining and petroleum industries are under-developed in South Australia, and we have the potential for these industries to be an engine room for future economic growth and development, not just in the north of the State but flowing over into the northern regional cities.

The publication is entitled *The New Frontier—Unlocking South Australia's Mineral Wealth*, and it will be used to raise the level of interest, investment and activity in mineral exploration by promoting the huge array of opportunities that exist. Certainly, there is considerable excitement amongst explorers about our undiscovered resources. We need to promote South Australia's competitive advantage in this area and demonstrate the Government's support for potential new market players. The Government will vigorously continue its investment in the exploration industry to ensure that the benefits of sensible new development of our natural resources flow on to the people of South Australia and have an increased focus on how we can value add to those resources to create more jobs in regional South Australia.

ELECTRICITY, PRIVATISATION

Mr FOLEY (Hart): My question is directed to the Premier. How much has been spent by the Government to date on consultants working on the sale or lease of ETSa and Optima, and will the Government now terminate all consultant contracts? On 17 June 1998 the Treasurer said that \$3.7 million had been spent on consultants in 1997-98 and that a further \$8.5 million would be spent in 1998-99.

The Hon. J.W. OLSEN: I am not aware of the total sums in this respect. I will refer the member for Hart's question to the Treasurer for a considered reply.

The SPEAKER: The honourable member for Stuart.

PORT AUGUSTA

Mr Koutsantonis: That's you, Gunny.

The Hon. G.M. GUNN (Stuart): I don't need to be told by the brainchild from Peake. Will the Minister—

Members interjecting:

The SPEAKER: Order! The member for Stuart has the floor.

The Hon. G.M. GUNN: Will the Minister for Police, Correctional Services and Emergency Services outline the results of discussions held with senior police and Port Augusta council officials to address perceived problems in Port Augusta, and will the Minister also advise the House what plans he has to visit the city in the next few weeks?

The Hon. R.L. BROKENSHIRE: As the Minister for Police, I wish to state how much I have appreciated the commitment of the local member in creating the opportunity for us to discuss this serious issue.

Members interjecting:

The SPEAKER: Order! The member for Ross Smith.

The Hon. R.L. BROKENSHIRE: I understand that the Opposition would not see this as a serious issue, but on this side of the House we take both economic and social issues seriously. In due course—

Members interjecting:

The SPEAKER: Order! I warn the member for Ross Smith for the second time.

The Hon. R.L. BROKENSHIRE: Thank you for your protection, Sir. In due course, I will explain to the House the reasons why we could do even more if it were not for members opposite. Soon after the issues that arose recently during weekends and of an evening in Port Augusta, through the member for Stuart I arranged to have the Mayor, Joy Baluch, senior police officers, including the Commissioner, the Deputy Commissioner and the Superintendent, meet with me to discuss the complexity of the issues that have recently occurred in Port Augusta.

Clearly, there is not one easy answer to this issue: it has been around for a long time, and a holistic approach is needed to fix the problem, as well as support from the community. To that end, I would like to congratulate the Port Augusta council on the way in which it has shown initiative in developing a Social Policy Committee. In order to assist the council with this committee, I am delighted to announce that, through my ministerial colleague the Attorney-General, \$65 000 has been approved for the next three years on a recurrent basis to support the council in its endeavours to assist with this problem. Those funds will allow for the employment of a crime prevention officer, who will work directly with the Social Policy Committee.

As an urgent issue, the police have decided to step up policing on Friday and Saturday evenings and to increase police numbers on those shifts from 7 p.m. to 10 p.m. But policing alone will not solve this issue, as the member for Stuart knows, and the Elders of the Aboriginal community in that area have also highlighted that fact to me. So, on 22 December I will be meeting (again, thanks to organisation through the member for Stuart's office) with the Mayor, the Aboriginal Elders, all the councillors from the City of Port Augusta and other people who have concerns over this issue,

to obtain a first-hand understanding of just how complex an issue this is and to try to determine how we can work to improve the situation.

One of the other opportunities that was discussed during the meeting was the idea of looking at an opportunity, through the State Government, for a facility that is no longer used to be developed as a drop-in centre for young people so that they will be able to receive peer support and where care workers will be able to assist them to work through their issues of concern. If the Opposition were in a position to support a situation such as the sale of ETSA, and if it were prepared to accept that it drove this State into bankruptcy and that, therefore, it has an obligation to every South Australian to support this Government in its endeavours to improve the worth—

Mr Hanna interjecting:

The Hon. R.L. BROKENSHIRE: The member for Mitchell—who is still trying to find out where Glenthorne Station is—can say whatever he wants to say. As a card carrying member of the Labor Party, he is one of those responsible for the ineptitude of the previous Labor Government and, as a result of that, today—

Mr FOLEY: Sir, I rise on a point of order. The Minister is clearly now debating the question. This is not even about the question.

The SPEAKER: Order! I uphold the point of order. The Minister clearly did start to debate, under Standing Order 98. I ask him to return to his reply.

The Hon. R.L. BROKENSHIRE: There is also more that we would like to do in the Port Augusta area, and in all other parts of South Australia. But when we are hamstrung by a massive debt and all we have is a joke on the other side, an Opposition that is not prepared to help this Government get on with the job, it makes our job a lot harder. I hope the people of Port Augusta and South Australia realise that members opposite are only a joke and are of no benefit whatsoever in fixing our problems.

Members interjecting:

The SPEAKER: Order!

ELECTRICITY, PRIVATISATION

Mr FOLEY (Hart): That was a hoot! Does the Police Commissioner laugh when the Minister walks in the room? My question is directed to the Premier.

The Hon. R.L. Brokenshire interjecting:

Mr FOLEY: I pity Mal Hyde having to meet with that bloke every week.

The SPEAKER: Order!

Mr FOLEY: How much has been paid to US sale consultants Morgan Stanley to date for its work on the sale or lease of ETSA and Optima and, given the Government's decision to now withdraw the legislation, what further fees will be paid to those consultants? An article published on 16 March 1998 stated that the Government had interviewed international consortiums and consultants that were vying for the contract as advisers to the Government on the sale, which 'could be worth up to \$30 million'.

The Hon. J.W. OLSEN: As with the previous question from the member for Hart, I will refer this question to the Treasurer for advice.

Mr SCALZI (Hartley): My question is directed to the Minister for Employment. How would proceeds of the lease of ETSA and Optima be put towards employment programs?

The Hon. M.K. BRINDAL: I thank the member for Hartley for his question, because this is a pivotal question for all South Australians. As of yesterday, we continue to pay \$2 million a day in interest. That is \$700 million a year. The member for Hart can laugh, but that is a lot of employment opportunities gone out the window—a terrific lot of employment opportunities. The member for Hart might have done better, as did many of his colleagues—a great many of his colleagues, to whom I pay tribute—to attend some of the Jobs Forums and to sit down with unemployed people and see what a joke it is when you do not have a job or an income.

Yesterday, because of what this House did, members opposite have limited the opportunity of this Government to help the unemployed people of this State. We have this year committed \$100 million, which is a record for any Government. And it is a credit to this Government, because of its limited resources. Yesterday, we had the opportunity to do much more, and that opportunity was denied to us, not only because of Mr Xenophon but also because of the Democrats and the Labor Opposition. While members sit smugly on the opposite side of the House, blaming everyone else, there are a number of people from their Party who did not vote for the sale or lease of ETSA and who, therefore, can come with me and face the unemployed people of this State and tell them that they could have had more opportunities for jobs but they will be denied those opportunities because of the petty ambitions and grasping dishonesty of the ALP in this State.

MATTERS OF PRIVILEGE

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to you, Mr Speaker. Given the quite different ways in which Speakers have recommended the House conduct matters of privilege in recent times, will you, Mr Speaker, now examine the way in which matters of privilege are dealt with by the forms of this House in comparison with other Parliaments that operate under the Westminster system, and will you consider placing before the House a report detailing your recommendations in regard to dealing with any future matters of privilege? Moving the goalposts has created some confusion in this House, with quite different rulings made in recent time by Speakers in relation to matters of privilege.

The SPEAKER: I believe that the problem members have is that they do not read or listen to the rulings of the Chair. On the few occasions—

An honourable member interjecting:

The SPEAKER: The honourable member interjects that the goalposts vary, and they do vary. On each occasion there have been slightly different circumstances. On each occasion the Chair has gone into a lot of detail to explain the process under which we work. Privilege is a matter which has only recently been raised in this Parliament. Probably more privilege matters have been raised in the past 12 months than the previous 20 years, and I believe that most members do not understand the process and, in particular, do not understand the role of the Speaker in the decision-making process in respect of making time available to displace other matters on the Notice Paper to give precedence for a motion to come forward. Ultimately, the House has to decide whether it wants to have a motion and a debate, and the House has to decide the process after that.

I refer members to the Standing Orders on privilege. Standing Order 132 provides:

All points of order and matters of privilege whenever they arise suspend consideration of the question under discussion until they are decided.

There is nothing else in the South Australian Standing Orders that says anything about *prima facie* cases, and there is nothing that says that the Speaker has to conduct a magisterial-type inquiry. I remember on one occasion that the Leader of the Opposition suggested that the Speaker call for 1 000 sheets of ETSA documents and study them, and he listed the number of witnesses that I was expected to interview. That is not the role of the Speaker: that is the role of the Privileges Committee if such a decision is taken.

I also refer to Standing Order 202 of the Upper House, which provides:

All questions of privilege shall at once be referred without debate to a committee of privilege for inquiry and report.

In that Chamber there is not even a debate: it goes straight to a Privileges Committee. I raised this matter in a paper at a conference of presiding officers in Sydney this year. It was discussed by over a dozen presiding officers and each one was of a considered view, after debate, that the Speaker should not get involved in inquiries but rather determine whether there is a matter of privilege or whether the matter touches on privilege. At the end of the day, it is the House that has to decide what course of action it will take.

It is not a question of shifting the goalposts but ultimately giving the members of the House—the 46 members on the floor—the decision to make the course of action apparent. On each occasion the Chair has done that and the House has decided. In answer to the honourable member's question, I will go back through all the rulings, I will summarise them and produce them as a paper. I will not be able to do that by tomorrow, which is the next sitting day, but most certainly in the first sitting week in the new year I will bring back a paper summarising and setting down exactly what the rules are that I work to in establishing matters of precedence.

TOURISM, ROAD FUNDING

Mr VENNING (Schubert): Will the Minister for Tourism inform the House of the successful applicants for funding under the Tourism Road Grant Program this year? I understand that the Government operates a program supporting investment in road infrastructure in developing tourism areas and that the Minister recently approved applicants under this year's program.

The Hon. J. HALL: I thank the honourable member for his question because, as most Ministers would know, he is a ferocious advocate for his electorate and he manages to extract copious quantities of money. As the honourable member said, the Tourist Road Grant Program is a Government initiative that has been designed specifically to assist in the development of important road infrastructure in developing tourism areas. The terms of reference are quite specific and the key objectives of the program are to open up and further develop areas of significant tourism potential, particularly as they relate to interstate and international visitors. Other objectives are to assist in the provision of roads that link together major tourist destinations, and to provide or improve access to significant individual tourist attractions.

I am delighted to inform the House that more than \$600 000 is available for this year's road grant program and I would like to inform the House of some of the details of the allocations. The funding is usually provided on a matching

dollar for dollar basis, and that is not just to councils but to other eligible agencies such as the Department of Environment and Heritage. This year, the funding has been distributed between two previously approved multi-stage projects and seven new applications.

The first covers specific areas of the District Council of Elliston, which has a grant of \$95 000 in 1998-99 as part of a three-year project at a total cost of \$573 000. It involves the upgrading of a number of tourist-based roads in the Elliston district, including those to the Talia Caves, Mount Camel and Lake Newland.

The Hon. D.C. Kotz interjecting:

The Hon. J. HALL: I know that the Minister for Environment and Heritage is very pleased about that. That is the final stage of the project, and the council reports that it has received hundreds of compliments from the visitors who have travelled along the upgraded roads, and the district is enjoying significantly increased visitor nights. The other council area is that of Clare and Gilbert Valley, which has received \$83 100 in 1998-99 as part of a two-year project, with a total project cost of \$332 000. This will ensure the upgrade of more than five kilometres of road from Penwortham to Sevenhill via the Skillogalee Valley, and I know that the member for Schubert will be delighted about that.

An honourable member interjecting:

The Hon. J. HALL: And the member for Frome—I beg his pardon! These roads will provide access to several wineries and restaurants in the area, and their upgrade follows very strong representation from both the local members involved. I also congratulate the former Minister, the member for Bragg, on working so closely with the local councils and the tourist associations to turn these grants into reality.

I am sure that the House would be interested to know of the funding for a couple of other specific projects. The District Council of Streaky Bay will receive \$84 000, making a total project allocation of \$336 000. That will improve the Point Labatt Road, which leads to a viewing platform overlooking the only Australian mainland sea lion colony, and to the southern leg of the road leading to coastal features including Smooth Pool, the Granites and High Cliff. I know that the member for Flinders is particularly interested in that allocation.

The District Council of Mount Remarkable is to receive \$85 000 in a total project allocation of \$505 000 for the Alligator Gorge Road, which handles more than 20 000 vehicles a year, and that will also provide access to Alligator Gorge and Mount Remarkable National Park. There are a number of other programs and projects that I am sure the House would be interested to learn of, and I might provide more information on this subject tomorrow.

GRIEVANCE DEBATE

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

Mr CONLON (Elder): Today this House has seen something extraordinary. After all the promises about the inquiry into the Premier and Motorola, before the inquiry has started, before we have got out of the starting blocks, before we know who it is, the cover-up has started—the first cover-

up. Over the past few days, the member for Chaffey has been negotiating with the Government, and there has been a lot of delaying, arguing and prevaricating, but they have finally come to an arrangement and they have agreed on the terms of reference. They have decided to appoint former Chief Magistrate Jim Cramond.

The Premier was going to clear his name in this place and make Mike Rann apologise but, having done all that, what do we know about the terms of reference? Nothing; they are a secret. The Premier was going to slide out of here tonight, go off to the golf and keep the terms of reference a secret from Parliament. Because Parliament will soon get up, he is hoping to get away from the intense scrutiny that he faces and, as I said, before we are out of the starting blocks, we have the first cover-up.

The Premier has been incapable of being straight on this matter. The Opposition asked some questions today because it has some concerns about how the inquiry will be dealt with, and for very good reason. The cover-up started before we got out of the starting blocks, but we should not be surprised if we look at the Tim Anderson inquiry. We know what happened with that inquiry: they shirked, they prevaricated, they tried to hide Dale Baker from scrutiny, and they did everything they could to protect him, and finally they came clean with an inquiry.

What did they tell the Parliament? They said that the inquiry report would be tabled in this place, just as we have been told today about Motorola before the first cover-up. What happened? I will tell the House what happened. Tim Anderson could not even get documents from the Government to conduct an inquiry. He had to get them from the Police Commissioner. After he wrote his report, lo and behold he did what the Government did not want him to do: he found out the truth. What happened? They not only refused to table the inquiry report but also raided his office. They locked him out of it. They took his report and refused to give him a copy of it. Forgive us if we are a little suspicious about the Government's handling of this inquiry.

As I have said, on this matter the Premier and the Government suffer from endemic shiftiness. They simply cannot be straight. What we had last week was the Premier happy to come into this place and announce an inquiry when it was to be conducted by his own lawyer. He was happy to tell us about the inquiry then. The trouble is, we wrote to the Solicitor-General, who apparently was to conduct the inquiry. What did we find? He had not been told anything. He had not been asked to conduct an inquiry; he had no advice or instructions. We received a QC's opinion on an inquiry conducted by their own lawyer, and what did we find? It was exactly as we suspected. It was another attempt by this Government to engage in a shifty cover-up. Secrecy and cover-up are the two bywords of this Government.

We got advice from Tim Anderson QC, who basically said, 'Blind Freddy could see the position of conflict the Solicitor-General would be in and could not conduct an independent inquiry.' That was what triggered the series of negotiations between the member for Chaffey and the Premier. Why is the Premier having this inquiry? Does he want the truth, as he has said? He is having this inquiry because he has to—because the member for Chaffey and the other Independents opposite have decided enough is enough. If he will not come clean, they will support a Privileges Committee, and he cannot have this matter looked at in the open, in the light of day, because it will be found that he has persistently misled this Parliament. Some aspersions were

quite unfairly cast when I raised this issue today on Tim Anderson's advice. Let me close by telling members opposite this: any—

Mr Venning interjecting:

Mr CONLON: You all laughed. Come on, Ivan, you recall it; you all laughed. Any QC in South Australia would have told you. Anyone three months out of law school would have told you, because it is absolutely transparent. Let me say this, and this is the most damning thing for this Premier: not only do we not believe them on Motorola but no member opposite does any more.

Mr VENNING (Schubert): I express my disgust about the decision that was made in the Parliament yesterday. That decision was made by the Hon. Nick Xenophon and, indeed, the Labor Party with the blocking of the proposed sale or lease of ETSA. This is the worst decision of the Parliament for decades. I am absolutely aghast as to the consequences this decision will have on the future of our great State of South Australia. The decision was made yesterday, but where do we go from here? Do members opposite admit and recognise that we have an enormous debt? I believe that many individuals on both sides of the House were horrified with the Hon. Nick Xenophon's decision yesterday. As was highlighted in Question Time today, the member for Hart has privately said that he was hoping that we would be able to negotiate the sale. He did not deny it when pressed. He has never denied it. So that is the account. I believe that many individuals opposite support the sale. But what do members opposite say we should do now?

An honourable member: Carry on as usual.

Mr VENNING: Yes, and continue into debt—go back into debt. What would they do if they were in government? We want to hear advice from members opposite. What advice can they give to us and to the people of South Australia? They sit over there like stunned mullets, make decisions, then let us wear them. I saw their faces yesterday: their jaws dropped as much as our jaws did.

Ms KEY: I rise on a point of order, Mr Speaker. I would expect that calling members on this side 'stunned mullets' was unparliamentary. I would like you to rule on that, Sir.

The SPEAKER: Order! It is an inappropriate term, although I am not too sure that it is unparliamentary. As it does not aid debate, perhaps the member would like to withdraw it.

Mr VENNING: I used the phrase 'like stunned mullets'; however, if it offends the honourable member, I am quite happy to withdraw it. I did not draw a direct reference. I am aghast. They, too, were as shocked as I was with the decision yesterday, and some have spoken to me privately about that. Certainly, I do not know where we go. A cloud still hangs over the State, and they were as shocked with the decision as I was. Individually, I have great respect for members opposite; there are some nice people over there. But collectively, as an Opposition, as an alternative Government, they are a bunch of born losers—absolutely proven losers. The debt we have is theirs, as the previous Government. Nobody disputes that. Where has this debt come from? And it is there, because it is costing us \$2 million a day. It belongs to the previous Labor Government. Nobody denies that; it is an undeniable fact.

They have voted to stop the State from retiring debt. It was in their hands to reverse the decision, but they went along and played politics, leaving it to Mr Xenophon to vote the way he did. They gave us this debt: there is no dispute about that.

They could have helped the Government get out of it, but they did not. They chose to play politics and do nothing. I ask members of the Opposition today, and I will ask them tomorrow, 'What options now face the Government? What are the options for the people of South Australia?' What concerns me most is the glaring absence of any viable policy alternative that Mike Rann, his shadow Ministers or Nick Xenophon can come up with to handle the debt. Do they have the answers? I will tell the House what they will do. They will do absolutely nothing about the debt. They will reintroduce death duties; hike up State taxes and charges, land tax, payroll tax, FID and BAD, which we already have, thanks to them; borrow more money to fund working capital requirements so that everything else looks rosy; and borrow more money to meet the interest. And down we go again—all our work and achievements of the past five years wasted. They will do just as their Federal counterparts did before Mr Howard came to government in Canberra and fixed up the mess.

There is an old adage that you get paralysis from too much analysis. That is exactly what Mr Nick Xenophon is suffering from. That is what he is doing to the State: he is paralysing the State and preventing it from getting to its feet and forging ahead, as we have been doing. Other States are showing us their heels, and they could not believe the decision we have just made. On 30 December this year, the State is to join the national electricity market, when we will be up against the Victorians, who have privatised their power, and we will be in serious trouble.

Ms BREUER (Giles): I would like to know whether the development package offered for the building of the combined cycle gas turbine power station at Pelican Point was also made available for other sites in South Australia, and in particular whether the gas contracts and the retail electricity contract were made available for other potential sites. I want to know whether the Premier is prepared to release all documentation relating to the site selection and the process of the site selection for the proposed power plant. If we are supposedly on a level playing field when it comes to site selection, I want to know whether the Premier made clear to potential power station entrants that a development package equal to that offered in relation to Pelican Point is also available for Whyalla.

In response to my question in Parliament on 29 October on site selection for the proposed combined cycle gas power station, the Premier stated that the Government was not favouring one location over another and that it was a matter of commercial interest to make that decision on site selection. The Premier went on to assure me that, if a company wants to locate a generating facility at Whyalla, it will get the same courtesies, support and encouragement as would apply in any other location in South Australia.

In his response, the Premier gave the distinct impression that the Government was hands off; that the potential developers would determine where to locate. Then on 26 November I attended a public meeting in Port Adelaide. It was organised by the Government, and Mr Geoff Anderson (the consultant hired by the Government to sell the ETSA privatisation plan to the South Australian public) and a senior Treasury official, Vivian Crean, made quite clear that it was the Government, not commercial interests, that had selected Pelican Point, and that it was the Government that was driving the agenda to develop Pelican Point at the expense of regional South Australia.

This Government has the opportunity to show regional South Australia that it has a commitment to those areas. It is the opportunity to provide jobs in the construction phase and ongoing valuable jobs for the future. The siting of the power plant at Whyalla will give the city an opportunity to attract other major developers and industries to the region. I want to know why the Government is so hostile to our claims. The Whyalla City Council, the Economic Development Board, the Chamber of Commerce, BHP and local residents have all been involved in discussions and are completely united in their views—we want this power station.

Mr Foley: We don't.

Ms BREUER: It is an opportunity for us to be born again—and, as the member for Hart says, Port Adelaide does not want the power station. Even the Provincial Cities Association has expressed unanimous support for our claims. The advantages of a Whyalla site make it the superior option for South Australia's next power station: land is readily available at Point Lowly; there is excellent access to deep sea water for cooling; and at Cultana substation (30 kilometres west and adjacent to the City of Whyalla) there is a sophisticated power grid access with significant unused capacity and an existing easement from Point Lowly-Port Bonython. We have skilled labour available from the Spencer region, not just Whyalla but Port Augusta, Port Pirie and Port Lincoln. We have urban infrastructure and we have proximity to major South Australian customers with a contestable energy market.

We have Western Mining at Roxby Downs, BHP at Whyalla, Pasminco at Port Pirie, the proposed Australian steel and energy project at Port Augusta and the proposed magnesium project also at Port Augusta. We have proximity to energy markets to be generated through the Gawler Craton, and gas over the fence from Port Bonython, with a small—almost nil—loss of transmission to major local customers and a marginal loss of 5 per cent to the City of Adelaide—well within manageable limits. It is a critical mass for Spencer Gulf. It will be of immeasurable benefit to the economic and social well-being of our communities.

A power station of this quality is likely to weigh heavily in South Australia's favour when BHP undertakes the next phase of its site's consolidation. There will be enhanced potential to attract new investment to our area, new industry and a reassessment of projects recently lost. I urge the Premier and the Treasurer to support Whyalla.

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

Mr CONDOUS (Colton): I thought I should bring up some of the latest figures on tourism in South Australia. I do not know how many members are aware of the fact that in the past three weeks it has been impossible to obtain a hotel room in any of the four or five star hotels in the City of Adelaide. Many people coming to South Australia on business from interstate have telephoned me and asked, 'Is there any chance of you booking me a room at one of the top hotels in the city?' On inquiry, I have been amazed to find that every hotel is running at 100 per cent occupancy—and that is great for South Australia. It is interesting to note what has happened regarding tourism in South Australia over the past 12 months.

South Australia has been one of those States that have encouraged tourism not only from South-East Asia but also from North America, Europe and the United Kingdom. I am happy to report that our increase in tourism is not purely anecdotal: the latest international visitors' survey results issued by the Bureau of Tourism Research show that South

Australia recorded a 10 per cent increase in the number of international visitors for the 12 months to June 1998. That is the largest increase of any State in Australia. In total, 286 200 international visitors came to South Australia, which was 25 800 more than for the same period last year.

In addition, South Australia recorded a 24 per cent increase in visitor nights, an outstanding result for the South Australian tourism industry. In fact, South Australia's international visitor nights reached 4.3 million during the period, the highest level ever recorded by the State, and our share of Australia's international tourism market increased from 6.7 to 7.4 per cent. I am also pleased to report that nearly all South Australia's key international markets recorded an increase of visitor numbers a night, and of particular interest were the United Kingdom and North America, which all recorded healthy increases, as did Asia—even during the meltdown.

With these statistics in mind, we should also look at what sort of international traveller tends to visit South Australia. They are generally second and third time travellers who are looking for authentic experiences rather than just sightseeing opportunities, and South Australia's tourism product is well suited to attract these high yield travellers. The majority of the State's international visitors come from the United Kingdom, Europe and North America. However, the Asian market, as I have said, has maintained a steady level of growth, despite the crisis. In addition, another profitable area is the backpacker market, involving young people who tend to go back to their countries and talk about what is happening in the particular place they visited. Again, South Australia has been a popular destination with the backpacker market. The latest survey results show an increase in backpacker numbers of around 11 per cent, and the range of experiences on offer in South Australia, including our proximity to the outback and the Northern Territory, make us an extremely popular market with young travellers.

In 1997-98 about 1 200 journalists from countries all over the world visited South Australia, resulting in over \$84 million worth of direct editorial coverage for the State—all this for an outlay of less than \$1 million, which is not a bad return. I simply wanted to address this issue, because I do not think that South Australians generally realise how many people on the street today are visitors to this city both from interstate and overseas. The market is a growing market and the quality of life and the diversities we present, especially in the artistic fields and in other areas of tourism, I believe are a product in which we will see a continual growth in South Australia.

Ms WHITE (Taylor): I bring to the attention of the House an important matter. I, along with my colleague the member for Hanson, the Hon. Carolyn Pickles in another place, and the Minister for Education, have been receiving very strong representations over recent days on a daily basis—and indeed several times a day—from the Women's Studies Resource Centre Collective and its members concerning the very important issue of the continuance of funding and a staffing position for that centre next year. Today, I received an urgent fax and many frantic telephone calls from members and supporters of that centre in the lead-up to today's meeting at 4 p.m.

I will refer to one of the faxes that has come from the Women's Studies Research Centre which explains the proposal that it has put to Minister Buckley, a proposal aimed at solving the staffing situation at no cost to the department.

It seems a reasonable proposal, and I call on the Minister today to respond to this proposal that has been put to his department. The fax I received today from the Women's Studies Resource Centre Collective reads in part:

Denis Ralph, Department of Education, Training and Employment Chief Executive, has written to say that there will be a teacher/librarian placed at WSRC for term 1, 1999 (21 January to 1 April). While this is appreciated, it would be far more efficient if the present Coordinator's were simply extended instead—she has been in the position for four years, is well regarded and highly competent.

Clearly the work of the centre for the coming school term would be better managed by her than a newly placed teacher/librarian, particularly since it is in that first term when many teachers, lecturers and students are initially in contact with the centre in relation to their courses of study for the year. The difference in the salaries of a teacher/librarian (step 12) and the Coordinator (seconded teacher level 2) for term 1, 1999, is only \$1 675.

This amount and more could be saved in the following way: Denis Ralph has guaranteed that the WSRC library technician position will be continued in 1999. The current incumbent's contract ends on 24 December 1998. If the new position were to begin on 18 January 1999—the day WSRC reopens—then there is a saving to the department of at least \$1 916 (library/technician step 1). The new incumbent could be inducted by an experienced Coordinator and the work of the centre continue seamlessly. This decision will cost DETE nothing (in fact, saving a small amount).

The proposal does seem sensible. Currently, the Coordinator's position is under threat and, as I have explained, the centre has come up with a resourcing proposal to the Minister that, if taken up, will actually save the department money and allow the work of the centre to continue in the most effective and efficient manner. It involves not starting the position that DETE will fund until some weeks later but keeping on the experienced skill position of the seconded teacher level 2, that is, the Coordinator who is currently in the role. This is what all the representations that have been put to me and other members have called for, and I ask the Minister to make a decision on this promptly.

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

The Hon. R.B. SUCH (Fisher): I would like to focus on two aspects of education today, the first concerning TAFE. Often people who are misinformed make claims about TAFE in a negative way. I would like to highlight to the House details from the 1997 annual report of the Australian National Training Authority (ANTA) which show that TAFE in South Australia has an excellent record. In fairness, it should be compared with States such as Queensland and Western Australia. If you look at the participation rate, for example—and I will quote some of the statistics: South Australia, 10.7 per cent; Western Australia, 8.2 per cent; and Queensland, 6 per cent.

In module enrolments (referring to part of a course, as members would understand) the competencies achieved are as follows: South Australia, 72.2 per cent; Western Australia, 59.5 per cent; and Queensland, 56.6 per cent. Referring to employers' satisfaction, the details are as follows: South Australia, 84 per cent; Western Australia, 74 per cent; and Queensland 77 per cent, and so it goes on. In terms of cost, whilst TAFE in South Australia is marginally more costly per unit hour, at \$12.80 per hour compared with \$12.40 in Western Australia and \$11.70 in Queensland, it is an outstanding achievement given that in South Australia TAFE services the Pitjantjatjara lands and undertakes heavy engineering programs and things like that which are not carried out in some of the other States.

So, when people, through ignorance, make comments about TAFE, they need to compare apples with apples. I am not saying that TAFE cannot improve. All organisations can improve, and I am sure the Minister would agree with that. If one looked at this analysis, undertaken by an independent body, one would see that TAFE in South Australia stacks up very well indeed. I would urge members of this House to make contact with their local TAFE Institute to ask for a tour and a briefing on what happens there, because members would be favourably impressed if they could see the range of activities and the quality of work being undertaken. If one looks at the programs in comparison with some of the international offerings, what TAFE offers here at certificate level is often equivalent to a diploma overseas. Members should avail themselves of that opportunity and visit their local TAFE Institute.

Recently I had the pleasure of representing the Premier at the opening of a private sector provider, previously called the School of Audio Engineering and now known as SAE Technology College. This is a private organisation, founded by Thomas Misner, who has created 30 of these colleges throughout the world. He started off this great innovative development in Sydney and now has a new college in Adelaide, in Gouger Street, the official opening of which I was fortunate to attend.

He offers training throughout the world and in conjunction with Disney Studios in the United States. He is the sole owner-operator of these colleges, and his turnover is in the order of approximately \$200 million. Not many Australians would realise that this organisation exists, and it exists in Adelaide. It trains people in all aspects of audio engineering and technology, and has the most sophisticated sound recording facilities as well as mobile recording training facilities that one could imagine.

Here in South Australia, we have not only the excellent public TAFE system but also many hundreds of private providers, including the SAE Technology College. The State Manager, Michael Davison, hosted the official opening recently on 28 November, and I would encourage members who are unaware of that facility, if they are interested, to make contact, because I am sure they would be very impressed if they could inspect that state of the art training facility that exists right here in South Australia.

It is another example of how Australians are taking their expertise throughout the world and creating training institutions—privately owned in this case—in 30 different locations around the world. It is a multimillion dollar business, and is very much to the credit of Thomas Misner and his staff.

LEGISLATIVE REVIEW COMMITTEE: ANNUAL REPORT

Mr CONDOUS (Colton): I move:

That the annual report of the committee for the year ended 30 June 1998 be noted.

I do not want to expand on the report, a copy of which I will provide for members. The committee resolved to adopt a new set of principles for the scrutiny of subordinate legislation to enable it to fulfil its responsibilities under the Parliamentary Committees Act 1991 and the Subordinate Legislation Act 1978.

Since the proclamation of the Parliamentary Committees Act 1991, there have been no formal legislative provisions stipulating the terms of reference by which the Legislative Review Committee must examine regulations. The Parliamentary Committees Act repeals section 55(1)(g) of the Constitution Act 1936 which provided the statutory basis for joint Standing Orders under which the previous Joint Committee on Subordinate Legislation was established with its terms of reference.

Given the opportunity to consider a new set of principles, the Legislative Review Committee expanded its number and attempted to provide greater clarity in respect of the committee's operations. The committee considers that the new principles reflect the present issues which are deliberated by the committee and which provide the Executive with a better understanding of the committee's role and function. While the committee has resolved to adopt the principles, it is aware that the Parliament may have a view as to the content of these principles. The committee has written to all Ministers enclosing a copy of the principles and, to date, no responses critical of the principles have been received.

The committee dealt with a few interesting issues which are listed in the report. I refer particularly to the issue of expiation of offences forms which the committee found needed better clarification to assist people who have committed an offence. The form states that a person must work out the date for payment of the fine from the time that the offence was committed. The committee found that that was not good enough and that changes had to be made. We also recommended amendments to the Development Act regulations relating to smoke alarms. Again, I believe that the committee has been innovative in stipulating those changes.

The committee made a decision regarding small passenger vehicles, again after representation from persons involved in the hire car industry. The committee was also concerned with water resources regulations because they were either unclear or ambiguous. All in all, I believe that members will find the report to be comprehensive, clear and easy to understand. I commend the annual report to the Parliament.

Mrs GERAGHTY (Torrens): I certainly encourage members in this place to read the report. The committee has worked very hard over the past year. The honourable member raised the issue of expiation of offences notices with which the committee dealt. These regulations were made on 23 December 1996 and were laid on the table of both Houses in February 1997. The regulations were introduced as part of a legislative package which aimed to provide for a common scheme for all expiation notices and which established a set of rules for the enforcement of these notices.

The regulations provided the operational detail necessary to make the common expiation scheme work and contained the forms and details which are required to be prescribed by the Act. Our South Australian police and local government inspectors issue most of these expiation notices. The committee was concerned because the people who receive these notices have a range of language and literacy skills. The committee believed that the notices should be as clear and explicit as possible. The committee supports the use of expiation notices as opposed to conventional summonses because not only do they save time and cost to the consumer but also, obviously, reduce some of the workload in the magistrates court.

The committee's objections stemmed, in part, from the requirement for those receiving a notice to complete the pay-

by date themselves. In February 1997, after the committee gave preliminary consideration to this issue, the Presiding Member of the committee gave notice in the Legislative Council of a motion to disallow the regulations. As I said, several aspects caused the committee concern, but one particular concern related to part B and the language of some of the forms. The committee identified four aspects of the forms that, in its view, were unacceptable.

First, the committee noted that the wording on one form was misleading and confusing because it implied that there was some relevant limitation on a recipient's applying to the court for community service in lieu of payment, which is not the case. Secondly, the committee noted that the form advised that if the notice was not paid a reminder notice would be sent. The notice did not state that a reminder fee would be applicable. The reminder fee is at least \$30, which represents a significant impost on people in the community. The committee also noted that one form required the recipient to write in the expiation notice number. However, when examining the form it was found that the number was not clearly designated, and this could be confusing to recipients.

The committee wrote to the Attorney-General on these matters and was advised that he accepted the committee's objections and indicated that the problems identified would be rectified in later amendments in the regulations. However, as I said, the committee was mainly concerned with this requirement for recipients to determine the due date for payment themselves. A number of the forms contained a space for the insertion of the due date for payment in association with the statement, 'You must work this date out yourself'.

The issuing officer completes the balance of the information on the form, but it is up to the recipient to work out that date. It was and still remains the view of the committee that the requirement that recipients work out the due date for payment for themselves is not an acceptable form of regulation making. The committee believes that the police and the authorities issuing expiation notices ought to specify the date by which payment must be made. The Attorney-General displayed some misgivings in regard to the issue when he informed the committee of the following:

... both police and the Local Government Authorised Officers Association were vehement and adamant that they did not want to do the calculation and that, if they did the calculation, they would get it wrong on an unspecifiable but significant number of occasions. The obvious answer to this is that members of the public will get it wrong more often, and that argument was made to no effect. This is, therefore, a difficult issue.

The committee agreed that it is a difficult issue but believed that there was a simple way of rectifying the problem. The committee certainly appreciated that it may be taxing for these inspectors issuing the notices to calculate 60 days from the date of an offence. However, we agreed that, if it was difficult for the officers to calculate the 60 days, it would be equally difficult for ordinary members of the public to do likewise. As I said, we must remember that these notices will be served on people from widely differing standards of education and literacy, not to mention people who have an ethnic background and who may not be able to read the notices completely.

It should be noted that the defect does not appear in Form 7, which is adapted for the so-called AutoCite ticket system used by Adelaide City Council and other issuers of a large number of expiation notices. The committee regarded it as unduly offensive to demand of recipients of expiation notices

that they work out the due date for payment themselves and recommended that the offensive language be removed from all forms in which it appears.

Mr Atkinson: The 'offending' language.

Mrs GERAGHTY: The 'offending' language; I thank the member for Spence for his correction. In a later communication to the committee, the Attorney refused to amend the forms to remove the offending language, and stated:

At present, I am inclined to the view that the requirements that the citizen work out the date for him or herself is not too onerous. After all, under the new system, the worst that can happen is that the miscalculation will attract a reminder notice and attendant fee. Equally, however, if a citizen chooses to wait until the last moment to pay that is a calculated decision that required due care to be given to the calculation.

The committee was not persuaded by the Attorney's response and believed that the issuing officer should insert the date. However, in order to progress this matter, the committee was prepared to accept the simple deletion of the words 'you must work this date out yourself' and the deletion of the box in which the date was to be written. The present committee has written to the Attorney advising that it supports the decision of the previous committee and that, if the regulations or similar regulations come before it in future, we will recommend disallowance. As I said, I recommend the report to members of the House. It does make quite interesting reading.

Motion carried.

ECONOMIC AND FINANCE COMMITTEE: ELECTRICITY REFORM

The Hon. G.M. GUNN (Stuart): I move:

That the twenty-sixth report of the committee, on electricity reform in South Australia, be noted.

The electricity industry has undergone significant reform since April 1995 when heads of Government signed off on the National Competition Policy. The reform to the electricity supply industry has been driven with the objective to produce a more flexible, cost effective source of energy for consumers. The principal component of electricity reform is the national electricity market, which will provide a competitive wholesale market for electricity. South Australia anticipates—

Mr Atkinson interjecting:

The Hon. G.M. GUNN: One could well ask why the people of South Australia pay the honourable member. South Australia anticipates joining the national electricity market in December 1998, after the starting date was deferred several times since the commencement of this inquiry. A number of risks are expected to emerge as a consequence of South Australia's participation in the national electricity market. In order to investigate and assess these potential risks and consequential likely benefits, the Economic and Finance Committee of its own motion resolved on 23 February 1998 to undertake an inquiry into electricity reform in South Australia. It was a lengthy inquiry, which took 10 months. In the course of the inquiry, 18 submissions were received and 23 witnesses appeared before the committee.

It should be noted that it was never the committee's intention to directly address the issue of privatisation of the South Australian electricity assets. The committee's preferred intention was to assess the risks associated with South Australia's entry into the national electricity market. Reform to the electricity supply industry and the establishment of the national electricity market will introduce competition in the

supply and purchase of electricity, which is expected to deliver a range of benefits to the people and the Government of South Australia. The committee notes that during 1997-98 the Government has undertaken a significant restructure of ETSA Corporation and Optima Energy in advance of the start of the national electricity market. This restructure involved the formation of three subsidiary companies to perform transmission, distribution and retail functions. Generation assets were transferred to three subsidiaries, and a fourth subsidiary was formed to manage the gas supply.

The committee acknowledges that the Government, through its shareholdings in South Australia's electricity businesses, is exposed to a number of risks through participation in the national electricity market. The committee has recognised that there is a need for the Government to provide a framework for prudential management of these risks. Although it is possible to manage risk to a certain degree, the committee further recognises that in a competitive environment risk cannot be totally eliminated.

In conclusion, I take the opportunity to thank all witnesses, those people who provided submissions and other information, members of the committee and the committee's staff, who have ensured the successful conclusion of this inquiry. The committee believes that this report has fulfilled its objective of essentially being one of information gathering and will assist Parliament in its deliberations with respect to the proposed reform of South Australia's electricity supply industry, and I commend the report to the House.

I hope that all members gain a great deal from studying the committee's deliberations, as I believe that the information contained in the report is overwhelming. Therefore, the House should support the Government's legislation to sell the electricity assets in this State. I commend the report to the member for Spence, because obviously, from the way he has been carrying on, he has little or no knowledge of the difficulties facing the people of South Australia.

Mr McEWEN (Gordon): I thank the committee for the opportunity to be part of the inquiry. I found it very useful and educative, and to that end feel that I am now far better informed about this complex matter than I was at the commencement of the inquiry. I wish in a few brief words to try to separate some of the issues, because melding them all together is the reason why the Government has not been successful at this time in relation to its bland Optima-ETSA sale proposal. The first matter is that the national electricity market is a market, irrespective of public or private ownership, and it is not on its own a reason why South Australia's power assets should be sold. Soon there will be a number of operators in the national electricity market: some will be publicly owned generators and some will be private. They will be operating in the one market.

The second matter we looked at at some length was risk in relation to being a generator. What I believe came out of that was an argument that as a State we ought to give due consideration to disposing of our generating capacity, either in aggregated or in disaggregated form, in this State. There is a reason why we ought to have a look at selling Optima or the new power entities. However, the third matter was the fact that it is a quite separate business to be distributing electricity and retailing electricity. Again, at the retail end, I make the point that I see no reason why the State ought necessarily to be the retailer. A whole lot of opportunities and savings could be passed on to the consumer if the retailer of electricity happened to be a retailer of other forms of energy, perhaps

of water and other commodities, and therefore there could be some saving in terms of billing, etc.

However, the one central issue to my mind is the natural monopoly: the poles and wires business and the distribution of electricity. At the time the study commenced I had a view that had been put to me by my constituents that that was a natural monopoly, a monopoly of which the Government should never lose control. Throughout the whole inquiry I was never persuaded to the alternative view. I still believe that that asset is a strategic asset. It is a natural monopoly and an asset that should remain in public hands. It is an asset yielding a very good return to South Australians and an asset that has community service obligations to the bush, community service obligations that would not be serviced in private hands. Certainly, the recent experience in Victoria with ever-decreasing levels of service and ever-increasing costs of electricity would bear out the argument that as a State we would be foolish to quit that asset.

In conclusion, I think that this report points to the fact that it is a bland generalisation to talk about the Optima-ETSA sale. We ought to be looking at the sale in an aggregated or disaggregated form of the generators in this State. We ought separately to be looking at transmission and at distribution—and I put on the record that I do not support the sale of distribution—and we ought to be looking at retail, which could be handed back to the private sector. With those few comments, I thank the committee for the opportunity to be part of the inquiry.

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: RURAL ROADS

Mr VENNING (Schubert): I move:

That the thirtieth report of the committee, on the South Australian rural road safety strategy, be noted.

The committee was instructed to investigate and report on this strategy, which was prepared by the South Australian Road Safety Consultative Committee. The ERD Committee undertook this inquiry to enable the South Australian community to have further input and additional comment on the recommendations. The inquiry took place over a period of nine months, during which time 24 submissions were received and 12 witnesses appeared before the committee.

The strategy is a South Australian response to national strategies and actions. It provides a broad framework of short-term and long-term actions to be used in planning specific road safety projects. The strategy contains 54 recommendations, and the committee is happy to support most of them. It believes that they will make a significant contribution to road safety. The committee has tabled an example of a road safety audit in the Legislative Council as an addendum to this report, as I believe that it is against the Standing Orders of this place to do so here. The report covers part of a Main North Road audit from Leasingham to Tarlee, which is in my electorate. I highlight this, because one of the main concerns of the committee focuses on the need for more road safety audits to be completed as soon as possible, especially on the national, rural and urban arterial highways. However, the committee believes that a road safety audit should also contain specific criteria that enable the audit process to determine an appropriate speed limit for a road. The committee recommends that Transport SA develop these speed limit criteria. Other concerns surround road standards,

speed limits, mobile random breath testing, seat belts, fatigue and driver training.

The roads network of South Australia is an important asset. Nevertheless, the committee does not believe that adequate funding is being made available to maintain it. The committee believes that the roads network needs significant ongoing funding, particularly for shoulder sealing and edge lining.

The committee is very concerned about the high rural road toll and believes that there needs to be greater emphasis on education as to the reason for this. The committee wants to reiterate the fact (and, as a country member, I can certainly lend credence to this) that the statistics show that the majority of those who are injured or killed on rural roads are rural people. The South Australian road toll is far too high. The largest proportion of accidents occur in country regions and the people involved are rural people. We are all aware of the many furphies going around that most of the accidents in country areas involve city people who are not used to our country roads, but that is not the case. Clearly, the statistics show that country people are involved, and most of the accidents are fairly close to home.

Therefore, it is essential that measures be taken to target this group with education programs and actions to reduce the toll. Education could take the form of public education during high risk travel periods such as Easter, Christmas and special events. The committee is of the view that part of road camera revenue—laser guns, etc.—should be used to finance public education programs as well as rural road improvements.

The committee recommends an investigation into the need for a driving test for drivers who are a danger to themselves or to other road users. The committee also recommends that research be undertaken to develop driving impairment tests, with consideration of on-the-spot tests: in other words, if a person is seen to be driving erratically, they should undergo a test on the spot to ascertain whether they are capable of driving the vehicle. The committee recognises that there are many complex issues involved in ongoing road safety improvements in South Australia. Therefore, it is pleased to note the establishment of a joint select committee to address all issues of transport safety.

I would like to take this opportunity to thank all the people who contributed to this inquiry. I also thank the members of the committee and the staff, who have worked diligently to complete this report. I refer especially to our secretary, Mr Bill Sotiropoulos, and our research officer, Ms Heather Hill. The committee has made 16 recommendations and looks forward to a positive response.

The committee is currently inquiring into the pilchard industry in South Australia and had planned to table its report this week. However, due to uncertainty in the industry and recent events, the committee now intends to hold back the report, gather further evidence and report to the Parliament early next year. I am privileged, indeed, to be the Chairman, and I am pleased that the committee is performing well. There is good cooperation and, generally, members get on very well. It is a good example of the parliamentary committee system working very well. I commend the report to the House.

Mr McEWEN (Gordon): I look forward to reading this report.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr McEWEN: Sir, thank you for your protection from the rabble opposite. Safety is a particularly important issue in rural South Australia, and I want to use this opportunity to tell the House of a very sad set of circumstances recently in Mount Gambier, when three young people lost their lives in a car accident. One of the reasons why they lost their lives was that the car in which they were travelling was not fitted with seat belts, and was not legally required to be fitted with seat belts. I do not know whether or not the report has touched on this matter: I hope that it has.

I believe it is ludicrous that we still register cars in South Australia that are not fitted with seat belts. While it might have made sense to have a provision to that effect for a while during the transition period, I advise the House that I have written to the Minister saying that, if it is the case that cars that are not fitted with seat belts can still be registered, she needs to address that issue as a matter of urgency. We do not want our young people in cars that are not fitted with seat belts. Thank you for your protection, Mr Deputy Speaker, and the opportunity to say those few words to the House.

Motion carried.

PUBLIC WORKS COMMITTEE: PLAYFORD B POWER STATION

Mr LEWIS (Hammond): I move:

That the eighty-fourth report of the committee, on the Playford B Power Station upgrade, be noted.

I point out that the State will be confronted with a power shortage any time soon, and that this upgrade should have been undertaken a good while ago. Notwithstanding that, it was my belief in 1992 that there was a necessity to set about planning increased generating capacity but no-one else shared my assessment of that proposition at the time. We were not in government and nothing was done. We are now to refurbish a worn out structure in a way that will enable it to function with suitable standards for at least the next short period of five years or so. That is my personal opinion.

The power station at Port Augusta is in three parts. Playford A is now just a shell of masonry, and old technology that was there is completely useless and will never be refurbished. Playford B is the one that we are proposing to refurbish, and then there is the Northern Power Station adjacent to it, on which further substantial change and improvement, in the form of repair and maintenance, will have to be made in the next few months. We were told while we were inspecting the site that that window of opportunity would arise during the seasonally low demand period of late March-April next year. By so doing, it will be more reliable. It is in a mid-life crisis, and that is the way it was described.

The proposed upgrade of Playford B at \$5.72 million will include the replacement of most steel parts, plates and wires for the electrostatic precipitators. That is where you charge the atmosphere ionically between positive and negative poles and cause the dust particles to be charged with the opposite polarity, and they are then attracted to the electrodes and settle out in huge boxes, the electrodes being the big plates in those huge boxes which are about half the size of this Chamber. We will also need to replace and repair various elements for Boiler 6 and its auxiliaries. There will be the extension of monitoring and control of the coal conveyors, the trippers and bin level indication to include the Boiler 6 fuel delivery system. There will be overhaul and repair of selected electric motors for that power station, with the supply of minor plant and equipment of various descriptions.

There will be civil repairs to structures in the cooling water intake, in the ash plant, in the Boiler 6 auxiliaries, and the turbine 4 auxiliaries chimney stack. There will be a replacement of turbine vibration monitoring equipment on units 3 and 4, a generator inspection and repair, and pressure vessels testing and repair. That covers the kind of work that is involved.

We visited the site on 16 November and held a special extraordinary meeting in order to get this work through, and I will say something about that a little later on in the course of my remarks. The committee was able to see the train unloading facility where the crushed coal is received from Leigh Creek by rail and subsequently stored in an underground container awaiting transportation via conveyor belt to the relevant power station that will use it. We proceeded to inspect Playford B and members were shown the equipment which requires remedial work or refurbishment, including the coal conveyor belt, the tripper, the ash plant equipment, the electrostatic precipitators, the boilers, particularly Boiler 6, and the flue gas ductwork that I have just mentioned.

It was during that inspection that members had the operation explained to us whereby there is integration and interdependence of the various components of plant and equipment within Power Station B. We were also told of the importance of having this power station fully operational. It will be used during those periods of peak demand when, on the very hottest days of the year, we will be able to stoke it up and get it rolling and enable it to contribute to the base load. I am not talking about peak demand on a recurrent basis during any 24 hour cycle but rather peak demand in consequence of seasonal conditions which it is thought might arise over a number of days during which electricity requirements for South Australia will be at the upper end of total demand.

We looked at the cooling water intake plant, the pumping system and the turbo generators, and we inspected the seawall and the surrounding coffer dam of the pumping system which segregates waste products, noting the area that required upgrading. Without exception we all agreed that it needs to be done. In recent years the various options for increasing the State's power supply capacity have been considered by successive Governments. Notwithstanding that, there is no guarantee that any of those options will be ready to provide additional power soon. The committee acknowledges that, in the meanwhile, this work will need to be done.

The committee understands that the proposed works are necessary to ensure that the operation of the power station continues to comply with the requirements of the environmental licence for the Playford B Power Station and its accompanying exemption relating to particulate emissions. More specifically, undertaking the proposed works will ensure that Playford B is able to continue to operate within the terms of its current legal authorisations in a manner that will continue to have no adverse consequences for the health of the local community at Port Augusta and particularly the people who work there. The electrostatic precipitators are in a very poor state, with the EPA licence conditions restricting the number of starts and operating hours to an unacceptable extent over the next five years, and that is why the work is necessary.

The emissions will be significantly reduced as a consequence of the work on them and the plant will be able to sustain operations in the capacity that is required in the circumstances that I have explained. We all know that the Northern Power Station is the main base load plant generating

electricity for this State and that Playford B will act as this peaking supply that I spoke of. Whilst the Public Works Committee reports to Parliament that it recommends the proposed works, there are aspects of the inquiry which illustrate a case which is causing the committee general concern, which will be the subject of remarks which I will make in due course on behalf of the committee as a report about the way in which the committee's first 12 months of operation in this Parliament has been undertaken.

Those remarks go to the difficulties which we have experienced and which have been exacerbated by the work load of the committee, and I am choosing my words very carefully because I do not want to be seen to be lacking in compassion for the people who have served the committee well. It is not often that we acknowledge such work in this place, but I want to acknowledge the work of the two officers who have worked long and hard with us to keep up with the extraordinary quantity of inquiries which we have made and the reports which we have produced on the public works coming before us. It has had an enormous personal cost to each of them and, in my judgment, quite an unfair one.

It is probably well known that the officer on secondment to us from the Public Service suffered a very serious heart condition and has been unable to work at full strength for quite some months in consequence of the surgery that was necessary, and I thank him very much for the commitment and consideration that he gave to the committee's work, even putting his own life in peril by so doing before he undertook the surgery that was essential to ensure his continued survival in the short term. The other extra load that was picked up by our secretary was also an onerous task for her, one which she has discharged to the committee's great satisfaction with considerable professional capacity.

The committee has then had to deal with these two inquiries—the one about Playford B Power Station as an extraordinary inclusion in our program, along with the Leigh Creek coal unloading bridges. The proposal of the two matters coming together to address the problems of impending short supply, brownouts and blackouts, of electricity in South Australia, meant that the committee got stuck into its work but, immediately upon its becoming known that the committee was examining these matters, people came from all directions mentioning problems that they had with one or other of the aspects of coal mining at Leigh Creek and the effect it was having on their lives and their health and also the other resource that is present, an oil shale deposit. More will be said about that when we come to consider the report on the coal unloading ramp.

It is important for us in this context to note that it was a very serious situation indeed that compelled us to go back to work on Monday and make the effort to visit both those installations and take evidence about them, and it annoys me intensely that, after we put ourselves out as a committee, the information that we sought, politely without being in the least bit gruff and unpleasant about it, has not been provided to this time, even though we need it, in consequence of the commitment given by Flinders Power or its officers to provide that information. I do not think that it is at all edifying to be told by Flinders Power or the Mines Department, or anyone else for that matter, that they are simply not going to comply with the commitments they gave to the committee in disdain of this Parliament and its capacity to require people to come before it and for papers to be presented to it.

If that is to be the case, we are on a fairly steep and slippery slope indeed, and the public interest is not at all well

served by such conduct. For a report to have been produced by one agency and then promised to the committee, only for the committee to then be told by another agency which had nothing to do with the commissioning or preparation of the report that it cannot have that report, strikes me as being quite improper. I am sure that, unless that is rectified in the very near future, it will become the subject of some controversy and pain for a good many people. Having said that, I put in a plea in the general case for some additional resource to help us deal with matters. The last thing I will say on this topic in a general way is that we were told as recently as late Monday that we now have to consider a \$200 million project—

Mr Foley: Which one?

Mr LEWIS: Guess!

Mr Foley: Motorola.

Mr LEWIS: Yes—and the Government agency wants it examined and signed off before Christmas. I cannot believe that, especially in the circumstances of the staff assisting the committee as they arise at this time, with the officer who has been serving us for some time now returning to his post in the Public Service and having no additional support whatever. It just cannot be done. I commend the report to the House, and I wish the refurbishment of the power station and the construction of the new components necessary for its safe operation swift passage so that there are no blackouts and brownouts. On behalf of the committee, I would like to say that we have done our bit; it is time for others to do theirs.

Mr FOLEY (Hart): I also want to speak on the final report of the Public Works Committee on the Playford B Power Station upgrade. I take this opportunity to congratulate the member for Hammond on what is clearly a fine role that he carries out for this Parliament as Chair of the Public Works Committee. The Chairman, the member for Hammond, has brought to this committee and this Parliament a refreshing approach to such an important Government and parliamentary matter as it pertains to the approval process of major public works projects. That is not in any way to diminish the role of my colleagues with me on this side and, indeed, Government members. However, the Chair is providing a degree of independence and preparedness to take on the Government when this Government attempts to abuse the parliamentary process.

I am glad that the Deputy Premier has joined us, because it is useful that he takes on board some of the comments I am about to make. In the past 18 months we have seen this Government attempt to ram through projects such as the Hindmarsh soccer stadium redevelopment project. We have spent \$30 million. We listen to the Premier bleating today about issues involving ETSA, but he did not have any problems finding \$30 million overnight to build a soccer stadium that I understand caters for 20 000 people. There is only one problem: we never get 20 000 people to a game of soccer. But the Government will build it, anyway. It is a bit like the field of dreams: build it and they will come. We will wait and see what happens there.

The member for Hammond was prepared to stand this Government up, to stare it in the eye and say, 'That's not right', and for that I congratulate him. It has happened again and again on other Government issues. Public works projects involving tens of millions of dollars require adequate scrutiny. We at last have a committee and a Chairman prepared to do the right thing. I perhaps wish other Chairmen, such as the Chair of my own committee—indeed, the honourable member currently standing with a dumbfounded

look on his face, the member for Schubert—would also from time to time show similar degrees of independence to ensure that we get proper outcomes as far as public expenditure is concerned.

I am astounded to have just heard the member for Hammond say—and it is a startling revelation to this Chamber today, another one of these 'Let's slip it through when no-one's looking' attempts by this Government—to this Parliament that the Motorola deal will be going to the Public Works Committee. It has to do proper analysis and assessment because, as we know, this \$200 million project will involve a lot of construction work around the country on its communication towers. However, what this sleazy Government wants to do is get it through by Christmas—'Let's have all the scrutiny in the world, but can you get it done by Christmas?!'

Mr SCALZI: I rise on a point of order, Mr Deputy Speaker. I believe the word 'sleazy' is unparliamentary.

The DEPUTY SPEAKER: Order! The member for Hartley has made his point, and the members for Hart and MacKillop will take their seats. The Chair would suggest that the word is unparliamentary. Taking into account the way in which the honourable member has referred to the Government in this way, I believe it is unnecessary to use such words.

Mr FOLEY: This sleazy Government has attempted to—

The DEPUTY SPEAKER: Order! The member for Hart will take his seat.

Mr FOLEY: This sleazy, dirty Government is now—

The DEPUTY SPEAKER: Order! The member for Hart will take his seat.

Mr WILLIAMS: I rise on a point of order, Mr Deputy Speaker. My point of order is on the ground of relevance. There is a restricted amount of time to address these reports, and I believe we have about another 10 minutes to go. I know that there are speakers who wish to address the topic we are discussing here.

The DEPUTY SPEAKER: Order! The point of order is taken in regard to the matter of relevance. I ask the member for Hart, if he continues to speak to the matter before the Chair, not to use the word 'sleazy' further.

Mr FOLEY: Thank you, Sir; your request is noted. This sleazy Government, when it comes to the Playford Power Station—

The DEPUTY SPEAKER: Order! The member for Hart is defying the Chair. The Chair has made perfectly clear that that word is not to be used.

Mr ATKINSON: I rise on a point of order, Mr Deputy Speaker. Could you indicate any precedent, either in the history of the House of Assembly or the history of the House of Commons, by reference to Erskine May, where the word 'sleazy', which has been commonly used by members of the Government—members of your political party, Mr Deputy Speaker—has been ruled unparliamentary previously, because the Opposition will have to consider dissent from your ruling?

The DEPUTY SPEAKER: Order! The Chair has made perfectly clear to the House that it is not appropriate to use the word 'sleazy' in the context that it has been used by the member for Hart.

Mr ATKINSON: I rise on a further point of order, Mr Deputy Speaker. There may be some grounds for ruling that way if it were applied to an individual member of the House. It has been applied to a Government which is external

to the House and includes members who are not members of the House.

The DEPUTY SPEAKER: Order! The member for Hart.

Mr FOLEY: As I have said, the Playford B Power Station upgrade report is a good report, and I commend it to this Chairman. However, I want to make the point that this Chairperson and this committee is being pressured by this Government to rush a quick and nasty cheap process through before Christmas so that that side of the Motorola deal can be swept under the carpet. It is a sleazy, rotten Government that is now wanting—

Mr VENNING: I rise on a point of order, Mr Deputy Speaker. I ask that you rule yet again on the ground of relevance.

The DEPUTY SPEAKER: Order! The Chair has already referred to the matter of relevance and I ask the member for Hart to speak to matters before the House at this stage.

Mr FOLEY: The point I am making is that the Playford B Power Station upgrade report is a very good report—

An honourable member interjecting:

Mr FOLEY: I do not need to smile at a camera, but I will tell the honourable member what I want to do. I do not want the member for Hammond to be persecuted by this sleazy Government because he is doing the right thing—

The DEPUTY SPEAKER: Order!

Mr FOLEY: This Government is rotten to the core and it is now prepared to put the member for Hammond under pressure.

The DEPUTY SPEAKER: Order! The Deputy Premier.

The Hon. R.G. KERIN: Mr Deputy Speaker, I rise on a point of order. The member for Hart continues to defy the Chair. He is putting on a show for the cameras and he is in defiance—

The DEPUTY SPEAKER: Order!

Mr FOLEY: As I said, the Playford B Power Station report is important and the Deputy Premier can get up with his wishy-washy, pathetic attempts to try to hold the Government together, but his Government is splitting, it is haemorrhaging, it is destroying this State and it is unable to govern. This State is being sold down the tube because the Deputy Premier cannot hold his Government together and the member—

The Hon. R.G. KERIN: Mr Deputy Speaker, I rise on a point of order.

The DEPUTY SPEAKER: Order! The member for Hart will resume his seat.

The Hon. R.G. KERIN: My point of order relates to the question of relevance. The member for Hart's comments are totally irrelevant to the debate, and as the member for MacKillop pointed out, it is using up the time that members have to debate these issues.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr FOLEY: I am talking about the Playford B Power Station upgrade report from this committee, and I have a minute to go. I say this: the Premier has tried to escape scrutiny today. He has tried to get out of this State, get over to Melbourne and have dinner with the Prime Minister because he did not want to face any Motorola scrutiny. The Government is now telling the Public Works Committee that it has to get its report down by Christmas. It is a dirty, sleazy, botchy Government and the voters of this State will show what they think of its—

The DEPUTY SPEAKER: Order! The member for Hart will resume his seat.

Ms THOMPSON (Reynell): I will speak but briefly on the matter of the Playford B reference. I endorse the remarks of our Chair, especially those relating to the contribution made by the staff of the committee under extremely difficult circumstances. However, I wish to draw to the attention of the House the very short period that was given to the committee to undertake this important report. It is an indication of insufficient planning and management processes going on within the current Government that it should not realise how important it was to have Playford B upgraded in time, using the proper processes of parliamentary scrutiny until the very last moment.

The committee responded to the request of the Treasurer to deal with this matter promptly. We made an extraordinary amount of time available by travelling to Port Augusta and Leigh Creek on the Monday in order to conduct a site inspection and have worked very solidly on getting this report done in the meantime. At the moment, I do not recall exactly the date on which we were given this reference, but my recollection is that within about four days of receiving it we were travelling on the aircraft to Port Augusta in order to expedite the completion of the report. This is an indication of poor planning within the Government, and I sincerely hope it will not be repeated, because it puts everyone under extraordinary pressure and does no justice to the people of South Australia in terms of the management of their assets.

Another matter that concerns me is the aspect of consultation with the community in relation to the continued life of the Playford B Power Station. That power station has been the cause of considerable anxiety in the community and has given rise to the discomfort which that community has experienced at times. The reason for this is that it is an old plant, the stack is not high and the emissions are not up to the standard that would be required today. The work that is being done will bring the Playford B Power Station up to an as-built standard of operation for the period that it is needed. The as-built standard for the 1950s (when it was built) is a long way away from the as-built standards of today. So, the people of Port Augusta will experience discomfort as a result of the people of Adelaide and other areas enjoying the continuity of electricity supply.

The only consultation that has been undertaken with the people of Port Augusta, which the committee did accept as being barely satisfactory for its purposes, was that in the process of the extension of the Environmental Protection Agency licence for the Playford B Power Station, a notice was put in the paper advising the community of the intention to continue the operation of Playford B.

The DEPUTY SPEAKER: Order! I remind the camera-men of the Standing Orders.

Ms THOMPSON: This is not very active consultation. Most of us do not scan the papers to find out details such as this, and given that the community will be impacted upon, I consider this as a barely adequate method of consultation and urge Flinders Power to improve its consultation with the community in the future, both over the operation of Playford B (as and when required) and on any other work that Flinders Power intends to take on. It needs to improve its track record. If that is its view of consultation, it falls a very long way short of my definition and I will be less inclined to accept that consultation has occurred if it comes to us with any such proposal in the future.

Mr SCALZI (Hartley): I do not wish to speak at length. The need for this power station upgrade has been clearly

outlined, and I support the committee's report. I commend the Chairman and other members of the committee for the work that has been done, and I know that it has been done promptly. I would certainly like to congratulate the Secretary, Lyn Van Der Ploeg, and Mr Silvio Visentin, the research officer, for the work they have done in this short time. I have been on the committee only since 28 October and I have learnt very quickly the importance of this committee, the references with which it has to deal and the work it does, and I am sure that, with the cooperation of all the members of the committee, we will deal with those references in the best interests of the State.

Although I applaud the comments of the member for Hart, recognising the need for the power station upgrade and knowing how important it is to have the facility to generate electricity at peak periods, I am terribly disappointed that he has to turn this need into political point scoring and his behaviour and comments on the report leave much to be desired.

Debate adjourned.

SUMMARY OFFENCES (OFFENSIVE AND OTHER WEAPONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 December. Page 499.)

Mr ATKINSON (Spence): The Bill retains the two knife offences in the Summary Offences Act and adds two more. The Government says the purpose of the Bill is to protect people from serious injury or death by reducing the number of—

Members interjecting:

The SPEAKER: Order! The honourable member for Spence has the call.

Mr ATKINSON:—weapons that do not have a purpose as tools in the kitchen, garden or when fishing. The Bill is aimed at things that have been designed primarily or exclusively for use against people, such as knuckle knives or nunchakus. Although no law and no Government can stamp out the unlawful use of offensive weapons, the Opposition is willing to make this Bill a bipartisan initiative.

The main knife offence we now have is carrying an offensive weapon without a lawful excuse. This is punishable by a maximum fine and imprisonment in Division 7, currently \$2 000 or six months. The other knife offence is manufacturing, selling, distributing, supplying, dealing in or possessing a dangerous article without a lawful excuse. Dangerous articles are defined by regulation to include hunting slings, catapults, pistol cross-bows, blow guns, flick knives, ballistic knives, knuckle knives, daggers, swordsticks, knuckle dusters and self-protecting sprays. This offence is punishable by Division 5 fine and imprisonment, namely \$8 000 and two years.

The Leader of the Opposition, the member for Playford and I have criticised this current scheme because the lawful excuse let-out has prompted some outlandish excuses that have made it harder for the police to do their job. Lawful excuses for carrying knives in a public place have included sharpening a girlfriend's mascara stick. The Leader of the Opposition has been advocating banning knives in licensed premises at night on the ground that alcohol and knives do not mix well. I think this is common sense. Speakers for the Government have characterised the Leader's proposal as 'rabbiting on about knives', or 'just another hysterical performance'.

The member for Playford has been working on a private member's Bill on knives. His principal idea has been to give police increased authority to search, especially in locations with a high incidence of violent crime. In dismissing the Opposition's proposals, the Attorney-General has cited 1997 crime statistics that show that 2.9 per cent of assaults involve a knife, 1.4 per cent of rapes involve knives, and 15.4 per cent of robberies involve knives.

On this basis, the Attorney-General told radio 5DN that South Australia does not have a knife problem. That is little comfort to the eight women who were raped at knife point in South Australia in 1997, or to the thousands of South Australians who are reluctant to enjoy a night out in Hindley Street or to go to certain pubs because of their reasonable apprehension that many of the young men in these venues are concealing knives and will brandish them when drunk or angry. Only an Attorney-General with the lifestyle and comforts of the Hon. K.T. Griffin could belittle the concerns of individual South Australians about criminal justice in the way the Attorney-General does, and be as contemptuous of modest Opposition proposals as he is.

It is a pity the Attorney-General does not do a little more walking in city streets, or bike riding at night, or perhaps travel on a TransAdelaide train of an evening, or perhaps live in a suburb with one of the higher crime rates, or in a home where the best defence against intruders is a screen door. Then he might have some empathy with the concerns of South Australians and the callers and listeners to talkback radio whose conversations he is so fond of deriding. Perhaps he will answer them in a direct way that addresses their fears and their desire for justice instead of snowing them with abstractions and statistics.

South Australia is not in the grip of an electoral bidding war on law and order, as the Attorney-General sometimes claims, and that is for two reasons. The first is obviously that the Attorney-General is not bidding. He has long gone native in his portfolio, relying completely on the advice of public servants and his department. He is near the end of his political career, he owes no-one in the parliamentary Liberal Party any favours, and he can just brush off internal law and order critics such as the member for Stuart. There will be no law and order bids by the Liberal Party while the Hon. K.T. Griffin is Attorney and, if there are, they will be merely rhetorical.

The second reason there is no bidding war or auction is that the Opposition's proposals are so modest, in summary, bringing South Australia into line with the rest of the English speaking world on the drunk's defence, and restoring to householders the right to use such force as they genuinely believe is necessary when defending themselves and their families against a burglar or home invader in their own home. If Government members are wondering about the effects of the changes to the law of self-defence put through Parliament by the Attorney-General last year, they might care to read the *Advertiser* reports of the Nashar murder trial currently before the South Australian Supreme Court.

The Opposition will be supporting the Government's Bill, and I have indicated that from the moment the Attorney announced the Bill. I do not know how he can blame the Opposition for public misunderstanding of the Bill, but he does. He says we are creating misunderstanding by our silence. The Bill maintains the dangerous articles regulations and proposes to add to it nunchakus, kung-fu sticks, throwing knives, star knives and any article that disguises a knife or

blade. A person may offer police a lawful excuse for possession of these things.

Some of these items will, however, be transferred to a second list to be called prohibited weapons, for which there can be no lawful excuse. The only way these items may be possessed is by an exemption to be obtained from the Minister, and this exemption may be conditional. Exemptions may be granted for the purposes of business, employment, for police, for museums and art galleries, for lawful entertainment, lawful recreation and sport, for religious purposes or for an official ceremony.

In addition, exemptions may be granted at the discretion of the Attorney for other classes of people or individuals. I support this scheme because, as the Attorney rightly says, the Government cannot foresee every justification for exemption. Those who try to justify possession of a prohibited weapon on the ground that they are a collector should not be granted exemption on that ground alone. They should be required to show that they are a genuine collector and that nothing in their past would create a reasonable suspicion that the collection would not be safely secured or would be a danger to anyone.

I do not believe that any person genuinely interested in knives in this State has anything to fear from this legislation. The Attorney-General says the distinction between these two categories will be that some have a legitimate purpose, such as a machete, and others are designed for the purpose of attacking people, such as knuckle knives and have, in the words of the Attorney, few or no legitimate social uses. I agree with him.

I also support the Attorney's criteria for distinguishing between dangerous articles and prohibited weapons, namely, whether the item is a tool or a weapon, whether it is easily concealed, whether it conceals a blade and whether it is mentioned in the Commonwealth's Customs (Prohibited Imports) Regulations. I believe that the Attorney-General, on advice from the police and his department, is qualified to judge whether one knife is more dangerous to people than another. I do not think the Bill is an over-reaction to knives as quite possibly the recent firearms legislation was when it did not include provision to legitimise the crimping of the magazines of semiautomatic weapons. I reject any equivalence that is drawn between this Bill and the Bill on firearms: they are quite different topics and different circumstances.

The prohibited weapons offence is the first addition to the law; the second is the possession or use of a dangerous article or prohibited weapon in a manner that is not safe and secure. A lawful excuse will not avail a person in possession if he is not possessing the knife or using the knife in a safe and secure way. The definition of 'carry', which now reads 'to have on or about one's person', is extended to include 'under his or her immediate control'. This would mean that a knife is carried by an alleged offender if it is on the floor of his car or between the front seats of the car. Alas, the Bill continues the Government's folly of converting divisional fines to cash amounts. These conversions will be stopped and the process reversed upon Labor's coming to office. With those remarks, the Opposition supports the second reading of the Bill.

The Hon. M.D. RANN (Leader of the Opposition): In supporting my learned colleague's support of this Bill, I want to make a few points. In April 1994 the front page of the *Advertiser* featured concerns expressed by Hindley Street police about what they called the proliferation of the carrying or wearing of knives in the Hindley Street vicinity. The police

pointed out that they were very concerned not only with the lame excuses being considered by the courts but also the proliferation of the carrying of knives by young people—some as young as nine years—for alleged self-defence reasons.

Of course, these young people were getting away with carrying offensive weapons by using the intent rule, as mentioned by the member for Spence, to say that they were used for legitimate purposes, such as peeling an apple. I raised the issue in Parliament and received substantial derision from the Government. I raised the issue in Estimates Committee. I raised it with a number of Ministers, including the Attorney-General who sneered at the proposition that there was a problem with the enforcement of the rules regarding offensive weapons. Indeed, this problem was also identified by the police, who said that they were being forced to combat this issue with one arm tied behind their back.

We were told, in order to fob us off, that this issue was being dealt with in 1994; that the issue was scheduled to be taken up at the Police or Emergency Services Ministers' Council—the council that includes the Police Ministers of all the States and Territories, as well as those with Federal law enforcement responsibilities. We checked with interstate colleagues and, despite the announcement by this Government and by a Minister of this Government that the issue was being dealt with nationally at that meeting, in fact, it was not dealt with: it was not even scheduled to be on the agenda of that meeting.

So, through 1994 and 1995 we continued to raise the issue of the problems in respect of knives. Those of us who represent electorates such as my own in Ramsay (the area of Salisbury and the Interchange) know of the problems that have occurred in terms of gangs using knives and knife attacks. Repeatedly this Attorney-General said that there was no problem with knives, just as he says there is no problem with home invasions—

Mr Atkinson: Or burglaries.

The Hon. M.D. RANN: Or burglaries. We continued to look at the issue and we devised our own policy. The policy with which we went to the election, as the member for Spence spelt out, sought to ban the carrying or wearing of knives in essentially licensed premises, such as pubs, clubs, nightclubs and discos. In my view and in the Opposition's view there cannot be any reasonable excuse to carry a knife in a disco at night; and we are all aware of knife attacks in the inner city where, of course, the mixture of alcohol and the carrying of knives have been clearly linked.

Again, after each knife attack, we announced what we believed was a reasonable and modest step towards trying to come to grips with this problem. It is not just a perception problem but a real problem. If it were just a perception problem, why has the Government introduced this legislation? Of course, the Government announced the introduction of this legislation following three knife attacks on one weekend in the city of Adelaide. We believe that in New South Wales legislation was introduced this year following various issues raised by the South Australian Opposition. New South Wales has drafted much more comprehensive legislation effectively banning the carrying and wearing of knives in public places.

We considered that option but realised that there were substantial problems with enforcement. We recognise that, if you are an angler at the end of the Semaphore jetty, you might need a knife legitimately. If you work at GMH—as I did for a day or two—at the end of the assembly line and you

are working with tyres, you need a knife in terms of trimming, etc. That is why we decided to focus, in a more narrow way, on the problem of licensed premises—clubs and pubs. We believed that that was something the Government and the Opposition could work on in a legitimately bipartisan way.

However, the problem with this Government is that it will never agree on any legislative initiative—even if it is something it planned itself—if it can be seen as coming from the Opposition. That is what it was really all about. The Government says, ‘Oh, hell, we’ve got a knife problem; we had better say there isn’t one. The Opposition has come up with a good idea but we can’t honestly admit that it is a good idea.’ I witnessed an example of that at the weekend at the opening of the new automotive museum pavilion when there was an acknowledgment of the previous Government’s and Minister’s involvement. Murray Hill acknowledged the involvement of the former Government. I am told that he had to put up with a great deal of aggravation about making sure that the Labor Party’s involvement was not acknowledged. That is another demonstration of the pettiness of this Government. If an idea comes from the Opposition, it is automatically ruled out. Any attempt at bipartisanship by the ALP Opposition in this State is immediately ruled out.

Mr Atkinson: It is over the top or it is fatally flawed.

The Hon. M.D. RANN: It is fatally flawed or over the top—all of these things. Recently, after a series of knife attacks, I went on the Jeremy Cordeaux show on 5DN and endorsed this legislation. I said, ‘Okay, we support this legislation, but we believe that we could go further. We believe that we should go for a ban at night in licensed premises.’ And what happened? The Attorney-General telephoned that station flustered and out of control. I do not think he realised that the person in the studio has control over the microphone and can speak over the top of him, but that is something he might learn with experience.

Again, the Attorney argued against the ‘folly’ of what the Opposition was proposing: God forbid that we would try to protect our children by securing a ban on the carrying and wearing of knives in pubs, clubs and discos. When I challenged him, the Attorney-General said, ‘No, there is not a knife problem in this State’, and that remark followed a series of knife attacks the previous weekend; and we have had a series of rapes involving knife attacks, etc. The Attorney-General had to say there was no knife problem because it was the Opposition that identified the problem. If there was no knife problem, why introduce this legislation and seek our support? The Attorney-General totally contradicts himself.

Did the Attorney announce the legislation because of some perception issue? Is that the Attorney-General of this State, the person who expects to be a Supreme Court judge? After his performance on the Jeremy Cordeaux show I think that the District Court would be the height of his ambitions, or perhaps chief magistrate, if that position is available.

An honourable member: Or a tribunal somewhere.

The Hon. M.D. RANN: A tribunal; that is right. My fundamental issue is this: why, on legitimate law and order issues, can we not sit down and reach agreement and consult with each other about issues such as knives and home invasions? What is it about the Government that it is so insecure about its own position in the community, so insecure about its own prestige and so insecure about its own divisions that one of its Minister’s cannot pick up the telephone, just as we did when we were in Government. As Minister for Aboriginal Affairs, I telephoned the member for Stuart on many occasions.

I telephoned shadow Ministers and said, ‘What do you think about this? Let us work together on this.’ Every piece of legislation that I brought into this Parliament, from land rights to new universities, was established through consultation with both the Opposition and the Democrats; there was give and take, and legislation was passed unanimously. But this Government is too insecure and not big enough to take that step. It is the same flawed logic that prevents it from sometimes acknowledging members of the Opposition, not only in terms of their contribution but in terms of their presence at functions. So, we will support this knife legislation but we appeal to the Attorney-General, so desperate to achieve fame on the bench, to sit down with us over the break and work together, before he takes higher judicial office and before Mr Lawson takes over the Attorney-General’s portfolio, to see whether we can make a genuine contribution to the statutes of this State by bringing in decent, comprehensive legislation to deal with a serious criminal problem in our community.

The Hon. G.M. GUNN (Stuart): I am one of those people who believe that there is no reason whatsoever why anyone should carry knives, particularly those Rambo-style knives, I think they are called, into nightclubs, licensed premises or other places of public entertainment. I cannot think of any genuine reason and am yet to be convinced that there is one.

An honourable member interjecting:

The Hon. G.M. GUNN: I have been a strong advocate of dealing with this problem for a long time, because I do not believe that law-abiding members of the community should be placed in danger by irresponsible people who, in a fit of anger, might produce these things; and we know the results. I was approached on Monday by constituents of mine who collect knives. I want a clear assurance that those people who are law-abiding, going about their legitimate business, are not suddenly confronted by a bureaucratic maze that makes it impossible for them to pursue their hobby. Many of them have been involved in this hobby for many years, have never committed a criminal offence and are never likely to. Some people came to me who were most concerned about that aspect, so I would like that assurance.

Secondly, there are a number of people—and the Leader has referred to fishermen—such as recreational four wheel drivers, who often carry those rather sophisticated pocket knives-cum-pliers with a range of other—

Mr Atkinson: Swiss Army knives.

The Hon. G.M. GUNN: No, they are actually a bit more sophisticated than that: they cost between \$90 and \$100 and have lots of parts, including a little screwdriver, both Phillips head and others, a file and various other things, and normally come in little leather pouches. Service station attendants often have them, and I sincerely hope that they will not suddenly be caught up in an all-encompassing web. I do not think that is what we should be or are talking about. People involved in agriculture, mechanics or other people have a quite legitimate reason for using a knife, but I am firmly of the view that there is absolutely no need for people walking down Hindley Street or Rundle Mall to be carrying large knives.

I am not talking about the little Swiss Army knife things that people have on a key ring: I sincerely hope that people will not be stopped and asked to produce one of those, because I do not think that anyone is talking about those knives. I certainly am not. I need an explanation about that, because we all know what took place during the time of the

firearms legislation. The member for Spence was absolutely correct when he talked about the crimping of magazines. Today I had to face the difficulty of a constituent who needs to purchase a dart gun. He is a deer farmer, and some of the deer have escaped; they are very valuable and he needs to get them back. He cannot do the TAFE course as TAFE is not sitting for three months, so he has a real problem.

We must be very careful that we do not create a huge bureaucratic nonsense that affects law-abiding people with a genuine need. This particular person is concerned that his deer will get onto the road, and he wants to be able to immobilise them to protect the public. Bureaucracy is a wonderful thing, but it can certainly use its best endeavours to make life as difficult as possible for the people towards whom the legislation was not directed. I sincerely hope that the Minister can explain that for those people.

There are people who produce knives. I saw a constituent on Monday who is interested in the American Indian culture and who produces knives and tomahawks purely as a hobby. This person has some physical difficulties and one of the things that he can do is produce these things, and there is some value to him in it. We do not want the police suddenly knocking on his door and saying, 'You are not allowed to have these items in your possession', because the individual in question has never broken the law in his life. He is aware that there are many other elements in the city who have no regard for the law and who smash people's doors in, and so on, but he is certainly not one of those. I bring this to the attention of the Minister in the hope that we can have an assurance that collectors, farmers, pastoralists, mechanics and various other people providing services to the community are not caught in an all-encompassing provision. I do not think that the community at large is concerned about those people, but I believe that there is a genuine concern with elements carrying these things to areas of public entertainment, such as the Test cricket or football.

I cannot understand why anyone would want to carry those sorts of weapons. I understand very clearly that you can do a lot of damage with a broken bottle but, obviously, if someone does that, they are carrying an offensive weapon with the intention of harming someone. In all these things there needs to be a little balance. Unfortunately, in New South Wales I think that a competition has been engaged in as to who can dream up the most draconian measure to inflict on the public. And they have lost some of their balance, in my view, in the public debate that is taking place there.

Mr SNELLING (Playford): This Bill squanders a real opportunity for the Government to properly tackle the proliferation of assaults and robberies involving knives. The answer to how it does this is in the Attorney-General's second reading explanation, where he specifically rejects any extension of police powers to tackle the knife problem. The blanket banning of certain types of knives will affect only honest knife collectors, and such collectors will have to either obtain a special ministerial exemption to continue their hobby or surrender those knives in their collection deemed under the legislation to be prohibited weapons. Persons who own such weapons for less honourable reasons will continue to carry these knives in the full knowledge that their chance of being caught is remote because, under the present law, police simply do not have the power to search, except under fairly exceptional circumstances. Therefore, this Bill will do nothing to prevent assaults with knives. The very best it could

be hoped to achieve is to marginally reduce the carrying of knives deemed to be prohibited weapons.

If the Government is serious about tackling the knife problem, the only answer is to give police additional powers to search persons suspected of carrying a knife in a public place and confiscate that knife if a person does not have a lawful reason for carrying it. Empowering police to search for knives would also give them a preventive role. I am sure that members would agree that it is far preferable for a police officer to intervene and prevent a crime than to make arrests after a serious assault has occurred.

Many assaults occur when a person goes out for the night carrying a concealed knife but not with the intention of committing an assault. Indeed, I am told that many people are doing so because it is perceived that that will enable them to protect themselves. Most altercations in a pub or a nightclub ordinarily end up with just a push and a shove. However, if one or both parties have a knife in their possession, the likelihood of the argument resulting in a serious assault escalates dramatically, particularly if alcohol is involved. If police were to have greater search powers, and if there was an awareness in the community that they had such powers, I am sure that there would be a much lower incidence of people heading out for the night with a knife—or, indeed, any other weapon—in their possession. Half the fight would be won.

Such additional powers have been granted to New South Wales police, who may take into account that a person is in an area with a high incidence of violent crime when determining whether reasonable suspicion exists to give a police officer the power to search. Time will tell as to the effectiveness of the New South Wales legislation. If the evidence reveals that the number of knife assaults and robberies involving knives has decreased in New South Wales, I would hope that the Government would be open minded enough to consider enacting similar legislation here. Given the Attorney-General's recent comments that the New South Wales legislation is 'over the top', I am not very confident that it would receive the consideration it deserved.

In concluding, I reiterate my disappointment in the Government's not having the political will to really tackle the knife problem. This Bill will do little, if anything, to reduce the incidence of knife assaults and robberies.

Mr MEIER (Goyder): I say at the outset that I support the view of most, if not all, other members who have spoken today that there is absolutely no need at all for people—and particularly young people—who are walking down Hindley Street, or any other street where entertainment is perhaps the focus, to be carrying a knife or weapon of any sort at all. I am 100 per cent in favour of doing everything possible to see that such people are prevented from doing so, and I believe that this Bill is a step in the right direction in that area. If I had my way, I would seek to give greater powers to the police so that they could stop people, if they were of the opinion that they may be carrying offensive weapons.

It is my understanding that the police do not necessarily have those powers at present and that they need to have some evidence that a person is carrying a weapon before they are able to stop them. I know that the civil libertarians would probably cry foul and say, 'Outrageous! You are taking away the freedom of people.' I say: what about the people who are being affected by it—the innocent people who are walking through those same streets?

I suppose something which will be debated further, and something which certainly will have to be considered further, is to what extent the powers of the police can be increased compared with the current powers. It is a pity that the former member for Florey is no longer with us, because I believe that the tactics that he and many of his colleagues used back in the 1950s and 1960s were very effective: they were able to stamp things out quick smart. However, these days, because of various laws that apply, it seems that the police have problems in being able to do that.

It is interesting to hear comments that I believe reflect my views from the other side of the Chamber, and maybe the Parliament as a whole will determine in the future that we have to give police more powers generally so that they can stop anyone who they feel may perhaps be transgressing the law. It is a pity that it has to go this way, but if people are irresponsible I believe that we have to do everything possible to protect the innocent citizens in our State.

On 1 December I circulated a Goyder gazette in my electorate, and on the back of it was a series of six questions. I will not go through them all, because only one is relevant. That question is entitled, 'Knives: do you agree with the State Government's proposal to tighten the laws on carrying knives?'

Mr Atkinson: That's a pretty searching question.

Mr MEIER: There was then the question 'Why?' so that people could give me an explanation. I thought that members may be interested in this. We are still receiving many replies but, of the 150 that have come in so far, 119 said, 'Yes, we agree with the State Government's proposal to tighten the laws', and 31 said, 'No, we do not agree.' It is just an indicative figure: 150 people is not a lot but, by the time we have many hundreds of survey results in, I would not be surprised if that rough figure of 80 per cent:20 per cent reflected through. So, I share that with members at this stage.

Mr Atkinson interjecting:

Mr MEIER: I am surprised at the interjections, because to fit six questions on one page, with the option for people to comment on each question, is difficult. I would be happy to show any honourable member those questions if they wanted to see them.

I have been contacted by several people who have been concerned about the proposed changes to the law. In particular, a couple of them have been very much associated with the rural sector, being farmers, and they are concerned that, at present, they wear a knife a lot of the time: if they come into town, they often still have the knife on their belt, and they say—

Mr Atkinson interjecting:

Mr MEIER: It is not a pocket knife: it is a sheath knife on the belt. I hope that full consideration will be given to those people so that they do not have to say, 'Thank goodness I remembered I had the knife on before I hopped out of the ute and went to get some more hardware,' or whatever might be the case. I do not want to see the rural sector penalised in that way, because that is not the sector that we are targeting. These are not the types of people who are causing offences. Generally, it is the people at night time who are causing the trouble.

I also received a letter from the President of the Australian Knifemakers Guild, and I dare say that most, if not all, members would have received a copy of that letter. That gentleman (Mr Peter Bald) certainly had some serious concerns about the legislation. I can understand that because, after all, that is his profession. One of the key factors that I

acknowledge is that he said that, if this legislation with respect to prohibited weapons is enacted, there should be some compensation. He did not put it quite that way: he said that there is no indication of any compensation. I hope that that matter can also be worked out, particularly with respect to a person who would rely on that type of manufacturing undertaking for his livelihood. One of the farmers who contacted me said that he has 30 to 40 knives and, again, he regards them not only as useful on the farm but as a collection. Again, I would hope that due consideration could be given to that.

I would like to thank the Attorney very sincerely for having addressed this issue. It has not been an easy one to determine, because there are so many exceptions to the rule. But I note that there are some areas of concern, such as the classification of bowie knives. One of my constituents said that he uses a knife that he believes would be called a bowie knife. It is a double sided knife, and he needs it for untangling binder twine and other things that are caught. He said that it would be a waste of time to use a single bladed knife and that you need a double blade. He said, 'I certainly hope that they will not be banned.' I note that, in the Attorney's letter to the President of the Australian Knifemakers Guild, he says:

As a result of submissions received from members of the public, the proposed definition and classification of bowie knives will be reconsidered.

I also gain the distinct impression that aspects of the regulations will have to be further considered so that this legislation does not result in a penalty being imposed on the law-abiding citizens of this State. That is something that I certainly want to ensure does not occur.

I believe that this legislation is definitely a step in the right direction. I will be interested to see how it goes over the next two or three years, to give it a fair run, and I hope that it will help to address the problem of people who insist on carrying knives to places of entertainment by prohibiting them from doing so, even though I fully recognise that, at present, most places of entertainment conduct searches anyway and one would be very hard pressed to find an offensive weapon or a knife in such a place. A very interesting and informative fact sheet has been put out by the Attorney entitled 'Law and weapons: what are the Government's proposed new laws?' It contains many questions and answers, but I do not want to take the time of the House to incorporate that into *Hansard* because all members would have access to it. Those members who have had inquiries from constituents would probably have circulated that sheet, anyway.

Mr KOUTSANTONIS (Peake): Having heard the member for Goyder's speech, I am disappointed that he is not Attorney-General, because I am sure that we would see more action if he were. I am probably the only member of this House who has been the victim of a knife attack, apart from former Premier Dean Brown, who was knifed two years ago. When I was driving taxis, on Friday and Saturday night I would go to a lot of the nightclubs in the city to get a fare out of the city. One night a knife was put to my back by a young man who asked me for my money. I responded by giving him my money. He then put the knife to my throat telling me not to call the police before he left.

I picked up that young man from a nightclub where there are metal detection systems and where bouncers or security officers search young people entering the premises regardless of whether or not they have the right to do so. That young man consumed a lot of alcohol at the nightclub and decided

on his way home that he would rob me. That was not the only time that I or a member of my family have been the victim of a knife attack. My father had a small business and on two occasions people holding knives robbed us. The Attorney-General is living in a fool's paradise if he believes that South Australia does not have a crime problem or a knife problem. It is obvious from talking to police officers on the beat what they think of the knife problem and what should be done about it.

If the Government does not take up the Labor Opposition's proposal to ban knives from clubs and licensed premises, it is letting down the people of this State and the people who visit such clubs, because they deserve the reassurance to know that, when they are on licensed premises, other people are not holding concealed weapons. I do not think it is too much to ask the Attorney-General to take that into account in his Bill, but he will not do that because, being a lawyer's lawyer, he could not take away the 'rights' of these criminals to hold their knives. That would not be right.

I concur with a lot of what the member for Goyder said, and with the remarks of the members for Playford and Spence. The Leader of the Opposition has led the debate on this issue and he has been pushing the Government the hardest to make sure that it does the right thing by the community in terms of community safety. The Labor Party released a number of policies during the election campaign and we would have stuck to them and banned knives from clubs and licensed premises. It is a shame that this Government will not do that, but all I can say is that, when the Labor Government wins the next State election, we will introduce those amendments.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I thank all members who have contributed to the debate for their basic support for the legislation. I want to pick up a couple of things, not least of which was the contribution from the Leader of the Opposition, who appeared to indicate that we did not have a bipartisan view to what the Opposition was saying. I can only ask the Leader of the Opposition why he did not listen to us when we were in Opposition and when for years we warned of the dilemmas of the State Bank. The then Minister was famous for extolling the virtues of Tim Marcus Clark.

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: Yes, indeed. Tim Marcus Clark was the victim of a knife attack: he has a very famous scar, so I will bring that point in that way. The Leader of the Opposition made a very famous speech extolling the virtues of Tim Marcus Clark despite the fact that the then Opposition had been saying for ages that there were a number of problems. All I am pointing out is that, in the bearpit of politics, Oppositions and Governments often do not agree.

I take a particular point identified by the Leader of the Opposition that this Government does not acknowledge members of the Opposition at functions, and I am not in favour of that. I always acknowledge every member of Parliament because it is appropriate that, as elected members, that occurs. However, I remember on a number of occasions, when I was first elected as the member for Adelaide, I attended a number of functions at which speeches were made by a then Minister who recently featured very prominently in advertisements for the ALP candidate for the Federal seat of Adelaide and who was notorious for leaving Opposition members out of the acknowledgments.

Members interjecting:

The Hon. M.H. ARMITAGE: I think that she might have been disciplined about her role in the advertisements. I acknowledge that every contribution in this debate has genuinely addressed the fact that prohibited weapons are a real concern in society. The Attorney-General's personal habits and views on this and his lifestyle, which were brought into the debate, have nothing to do with the debate, although that subject is always introduced by the member for Spence. However, I contend that that is irrelevant to the debate.

As I have said, this legislation deals with dangerous weapons, not just knives, and that is a very important point in the measure. The so-called lawful excuse may have been employed by some people in quite peculiar ways in previous opportunities, but in the end the debate about lawful excuse comes down to the common sense of the courts, and I do not believe that that is necessarily an oxymoron. There comes a point at which it is simply not possible to define in advance by statute specific rules or to specify every justification or exemption which may occur, and I acknowledge that the member for Spence identified that and I agree with him.

Indeed, I am grateful to the member for Spence for his general support for the theme of the Bill and I am also grateful for the Opposition's faith in a series of exemptions, because that is what will make the Bill work, for the sorts of cases that have been raised by members on both sides of the Chamber. Some members spoke about collectors, and it is not the aim of the Bill to interfere in that regard. I take a slight issue here with the member for Playford. The genuine collector will not have a problem getting an exemption and need not have any concern about doing so, on the basis that this legislation is for the general good.

In relation to people who need knives for their employment, by way of example a couple of members on this side of the House identified farmers. I note in relation to farmers that proposed section 2(a), to be inserted after subsection (2), provides:

The following persons are exempt persons for the purposes of subsection (1d) in the following circumstances:

(a) a person who has possession of, or uses, a prohibited weapon for the purpose or in the course of conducting his or her business or for the purpose or in the course of his or her employment. . .

Exemptions are factually how this legislation will be made to work practically to come down strongly against those people whom we are all acknowledging it should cover.

I acknowledge the persistence of the Leader of the Opposition on the general subject of knives. In fact, I am informed that this matter was taken up at the Australian Police Ministers Council rather than, as the Leader of the Opposition—I am sure mistakenly—believed, that it was not. In fact, the subject of prohibited weapons with which this legislation deals derives specifically and precisely from the Australian Police Ministers Council. A number of members have referred to the New South Wales legislation and identified that it has substantial problems. That is quite so, and I understand that the New South Wales Government, because of the legislation being quite flawed—and, as some people have said, over the top—has been forced to exempt from the criminal law the sale of plastic knives by fast food outlets. That is clearly a nonsense in this sort of legislation.

I reiterate that the Government is grateful for the general support of the House for the theme of what we are trying to do and, if it protects people in the community, obviously this is good legislation.

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

**SECOND-HAND VEHICLE DEALERS
(COMPENSATION FUND) AMENDMENT BILL
(No. 2)**

Adjourned debate on second reading.
(Continued from 26 November. Page 471.)

The SPEAKER: There is an issue surrounding this Bill on which I wish to comment, that is, its similarity to the Bill of the same name, introduced by the member for Gordon on 5 November. I quote from the Speaker's ruling on 18 September 1975. On a point of order being raised, the Speaker said:

It is quite in order for two Bills that deal with the same matter to be on the Notice Paper at the same time but, once a decision of the House has been taken on one of those Bills, the other Bill is unable to be proceeded with, as it would entail the same matter being twice presented in the same session, and this would be out of order.

I agree with that ruling. The member for Spence.

Mr ATKINSON (Spence): The Opposition supports the principle of the Bill, which is to restrict access to the Second-hand Vehicle Dealers Compensation Fund to customers of licensed dealers or customers of dealers who are not licensed but who reasonably believe the person with whom they are dealing to be licensed. Labor was the first Party in Parliament to advocate this change. We did so on 24 July 1997. At that time I told Parliament:

The second thing we wanted to achieve is to amend the schedule to insert the words 'ostensibly licensed' in front of 'dealers', so that customers of backyarders would not also have access to the fund.

If we had added 'licensed' before 'dealers' we would have run into trouble, as the Treasurer pointed out in the debate, because many licensed dealers lose their licence through breaching the provisions of the Act, yet continue to trade and continue to have their LVD number on their advertisements and displayed at their business. So, a person who wanted to buy a motor vehicle could go to one of these dealers who had just lost his licence owing to breaches of the Act, trade with that dealer and then, when the dealer went belly up, lose his money and not have access to the fund.

The Opposition took the view that in no circumstances the customer should have access to the fund. We wanted to insert the words 'ostensibly licensed' before 'dealer' or 'dealers' when it appeared in the schedule because we wanted the customers of those dealers to have access to the fund.

If a customer were to answer an advertisement in the classified section of the *Advertiser* for a used car and go to a backyard in Ottaway and deal with a backyarder and if that customer subsequently lost his money, we believe he should not have access to the fund, because that dealer was not licensed or ostensibly licensed.

The Government refused to accept our amendments. It refused to accept our retroactive amendment because it believed that it was bad legislative practice. The Opposition accepts that, but we hope to use that amendment to chisel out of the Government a solution to the problem of backyard dealers. The Attorney-General said that he was not willing to legislate on the run: well, I reckon he or his advisers had about 12 hours last night to consider our suggested amendment of simply placing the words 'ostensibly licensed' in front of 'dealer' or 'dealers'.

. . . ultimately, after six or 12 months of thinking about it, that is what the Government will do, but it is something for the future. The Opposition will follow up on this to ensure that the Government fulfils its undertaking to do something about backyard dealers.

Now the Government has acted on this point, but only after the member for Gordon introduced a private member's Bill on 5 November. The Government Bill, which is substantially the same as the member for Gordon's Bill, was introduced on 26 November—hence the 'No. 2' in the title—and prompted the rare response in the House of 23 members voting against granting the Minister for Government Enterprises leave to introduce the Bill. The Minister told the House, 'We couldn't

do it, but we almost did, and would have prevailed had we had the numbers.' I think the last time it was done was by the then member for Mitcham, the Hon. Robin Millhouse.

An honourable member interjecting:

Mr ATKINSON: Only on the casting vote of the Speaker. The House does not appreciate the Minister's gazumping private members' Bills without the consent of the private member. The Motor Trade Association, which is the party most interested in the Bill, has told the member for Gordon that it is well aware of what the Minister for Government Enterprises and the Attorney-General are trying to do and is relaxed about the matters being dealt with early next year, via the member for Gordon's private member's Bill, Bill No. 1.

The reason the Minister gives for introducing this Bill over Bill No. 1 is that these Bills are money Bills, and Standing Order 232 requires a money Bill to be introduced by a Minister. Well, yes, that is what Standing Order 232 provides. What is a money Bill? Standing Order 232 defines a money Bill as:

a Bill which imposes a tax, rate, duty or impost or authorises the borrowing or expenditure of money (including expenditure out of money to be provided subsequently by Parliament).

The Second-hand Motor Vehicle Dealers Compensation Fund is in the nature of a licence fee. It is a fee licensed motor vehicle dealers must pay in addition to their licence fee to remain licensed. This may or may not be within the Standing Order definition. The Minister's interpretation is conjectural. However, section 60(2) of the Constitution Act elucidates the definition of 'Money Bill,' as follows:

For the purposes of this and the next three sections a Bill, or a clause of a Bill, shall not be taken to appropriate revenue or public money, or to deal with taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licences or fees for services under the proposed Act.

I think that clears up the matter very nicely in favour of the member for Gordon and me. I was pleased to read that section of the Constitution Act which resolves the matter. Neither Bill No.1 nor Bill No.2 is a money Bill, I regret to tell the Minister for Government Enterprises. It is true that Bill No.2 adds a few lines to Bill No.1, but these are a fig leaf for the Government's naked theft of the member for Gordon's idea.

I could go through the additions one by one, but I will not do that as I understand that we are about to adjourn and go home—and that is fair enough. The Opposition is happy to support those changes in Bill No.2 by way of addition to Bill No.1. I hope the House will adjourn this Bill to give the Government a lesson about gazumping private members' Bills. I challenge the Minister to move for the suspension of Standing Orders so that Bill No.1 can be brought on right now, and we can then speak to it, add the amendments and have it passed before 6 p.m.

Mr McEWEN secured the adjournment of the debate.

ADELAIDE FESTIVAL CORPORATION BILL

Adjourned debate on second reading.
(Continued from 8 December. Page 530.)

The Hon. M.D. RANN (Leader of the Opposition): Essentially what we are doing is trying to establish the Adelaide Festival Corporation as a statutory authority and to provide for the conduct of the Adelaide Festival of Arts. In supporting the Government's Bill, which is certainly something that is now timely, it is important to reflect on how

the Festival has developed over the years. Of course, the Festival was first incorporated as an association in 1958 to prepare for the first Festival in 1960—the Helpmann festivals and so on. Since 1958, through 40 years, the Festival of Arts in Adelaide is now established as one of the three great world arts festivals, along with Avignon in France and also Edinburgh in Scotland, and remains pre-eminent in that position and has been for some years.

The incorporation of the Festival of Arts as an incorporated association has changed over the years. Initially, it was designed purely as a management body for the box office, but by the time of the Dunstan Government in the late 1960s and early 1970s it had substantially changed into a major international exercise. Indeed, by 1972, there was clearly reason for a change in its incorporation. We also saw the gradual movement, in terms of the management of the Festival, from one of essentially well meaning and, in many cases, expert volunteers, to management by professionals. One of the problems is that the Adelaide Festival, as opposed to the Adelaide Festival Centre, is not a separate legal entity, and indeed that poses problems because, in terms of entering into contracts with performers, other companies, dance companies and symphony orchestras from overseas all the contracts have to be made sort of one removed.

Essentially, it is a contract not between the Festival and performers, artists and so on, but with the Minister of the day. So, quite clearly, there is a need to establish the Adelaide Festival's independence as indeed a corporation or a statutory authority in its own right. This Bill will provide the Festival with its own legislative framework outlining the powers and obligations of the organisation. I am especially pleased to see the clause relating specifically to a clear independence from the Minister and the Government in terms of artistic activity. This has been debated for as long as I have been in South Australia. I think I attended my first Festival in 1978—certainly the Christopher Hunt Festival in 1980—and the debate about whether there was interference by the Government in the artistic direction of the Festival was something that came up from time to time, not by way of accusation but by way of trying to establish clear precedence that that could never be the case.

Certainly, I understand that this was initially a concern of the present board of the Festival, and therefore its wishes have been taken into account with this particular clause within the Bill. Certainly there is no doubt that the concerns of the board of the Adelaide Festival—and indeed almost the entire Adelaide arts community—about the independence of artistic direction were raised following the present Minister's inept handling of the Meryl Tankard Australian Dance Theatre. Which arts body in South Australia would not want its independence clarified after the ADT Meryl Tankard fiasco, which has cost our reputation in the arts both nationally and internationally?

This corporatisation has been successful with other State Government funded arts organisations such as the State Opera and the South Australian Country Arts Trust, in terms of granting them more independence with their day-to-day operations. I am told by my colleague the Hon. Carolyn Pickles in another place that this Bill will absolve the Festival from having all its appointments above ASO2 level approved by the Governor in Executive Council, and that is something that she and we believe is a good move in terms of administrative efficiency. Certainly, over the years, the Adelaide Festival has been innovative, entrepreneurial and also world leading. It has also been a good employer and, on a personal

level, I certainly want to say that I am sure that the Adelaide Festival would not treat its employees in the shabby way in which I know the Adelaide Festival Centre Trust has in recent times.

We are talking about two different entities. The Adelaide Festival Centre Trust, which administers the Festival Centre—the Playhouse, the Festival Theatre, the Space and so on—recently celebrated its twenty-fifth anniversary with a gala concert in which it paid tribute to its employees, but straight after that there were redundancies for many of the people to whom tribute was paid, causing immense bitterness. People felt that they had been conned by the permanent head of that organisation who then failed to thank many people whose positions were essentially outsourced or privatised. They were not thanked for many years of contribution, despite this grand hoo-ha a few weeks previously.

Mr Foley: That is James Porter's mob.

The Hon. M.D. RANN: Yes, that is headed by James Porter, but it was the CEO whose conduct I thought was most shabby in the way in which she dealt with outstanding individuals whose contribution to the development of the arts and of the Adelaide Festival Centre was not acknowledged. The way in which that organisation treated its employees after its twenty-fifth anniversary is something which I believe was truly shameful. However, the Opposition agrees with the reduction in the size of the Festival Board from 12 members to eight, with two of the eight to be selected from three nominations, each from the Friends of the Festival and the Corporation of the City of Adelaide. The Labor Opposition is delighted to support the Bill.

The Hon. DEAN BROWN (Minister for Human Services): On behalf of the Minister in another place, I thank the Leader of the Opposition for his comments and support of this legislation. I think members understand and appreciate the work done by the Adelaide Festival in the past. We want to make sure it continues so that we can maintain our predominance in the area of the arts in this State. I urge the House to support the Bill through the remaining stages.

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

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

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Mr WRIGHT (Lee): I rise to express strong opposition from our side of the House to the recent appointment of Mr Ian McEwen to the position of Chairman of the South Australian Harness Racing Authority. We believe that it is an absolutely appalling decision, and the comments I am about to make are in no way to be interpreted as personal to Mr McEwen but more so to the decision that has been made by Minister Evans in respect of his appointing him to this position. I would like to go through a few of the reasons why we believe that this is a totally regrettable decision. Mr McEwen lives in Victoria and—

Mr Clarke: You're joking!

Mr WRIGHT: I do not joke. He is also Chairman of the Harness Racing Authority in Victoria. This is the first time ever in South Australia that any of the racing codes has had a Chairman of its board who does not live in South Australia. This is a first for South Australia and, to the best of my knowledge, it is probably a first Australia-wide. We in South Australia can win two AFL premierships, we can win the national men's and women's basketball championships, we can win the national netball title, we can run the Australian Golf Open Championship, we can conduct motor car racing events as well as major horse racing and harness racing events, but we cannot find a South Australian to chair our Harness Racing Authority.

We have to go across the border to pluck out someone from Victoria to chair our Harness Racing Authority. Not only do we have to pick out a Victorian who lives in Victoria to do it but also we pick someone who is currently holding the position of Chairman of the Harness Racing Authority of Victoria. This is a totally inappropriate decision. It lacks probity. This is a position of conflict, and I do not believe that we cannot find a suitable South Australian to fulfil the position of Chair of our Harness Racing Authority.

Maybe this is a little bit like the Minister not knowing where the South Australian Thoroughbred Racing Authority (SATRA) is now located. For the Minister's information, if he has not been told in the past 24 to 48 hours, SATRA has shifted to Greenhill Road. I had a briefing not long after becoming the shadow Minister, and the South Australian Thoroughbred Racing Authority was very up front about its proposed move. Just recently, I had the good fortune to bump into Mr Nichols, the Chief Executive of the South Australian Racing Authority, who told me that last weekend they were physically doing the shift.

It came as somewhat of a surprise to me to read in this morning's *Advertiser* that the Minister, earlier this week on TABRadio, admitted to not knowing about that shift. That is somewhat surprising. I wonder whether the Minister is also not aware that Mr McEwen lives in Victoria and is currently the Chair of Harness Racing Victoria. I understand that Mr McEwen is the first person to simultaneously hold the position of Chairman of a racing code in two States. Our major concern is not whether Mr McEwen has the personal skills, experience or expertise to fulfil this requirement but whether there is a conflict of interest.

I am unsure how a person, whoever it might be, can chair two harness racing authorities in two different States. Of course, the problem is made a lot worse by the fact that this person actually resides in Victoria. We feel strongly that a conflict of interest does exist. We can neither see nor appreciate that Mr McEwen will not be put in a conflict of interest position. How can Mr McEwen possibly chair Harness Racing Victoria at the same time as he chairs the board in South Australia? Many issues will be debated over the ensuing months. You, Mr Speaker, as a former Minister in this area, and all members in this place know all too well that the racing codes are going through a difficult period; very sensitive issues are being discussed and many hard decisions—

Mr Clarke: Mr Speaker would never have made this decision.

Mr WRIGHT: No, he would never have made this decision. Many hard decisions need to be made by all the codes in South Australia.

Mr Clarke interjecting:

Mr WRIGHT: Yes, Mr Speaker, you consulted with people in the industry and, in part, that is what this responsibility is all about: consulting with people in the industry; getting the right people into key positions; and making the correct decisions. As we go into the next millennium, how can a person sit on two boards when key decisions must be made within this industry, as well as major decisions about a range of issues, including the rationalisation of tracks, attracting more people to racecourses and the future of the TAB. The issues go on. Surely, at the very least, we want and need a South Australian Chairperson of the Harness Racing Authority in South Australia.

I would have expected that we would appoint someone who resides in South Australia as the Chair of the Harness Racing Authority in South Australia. For the life of me, I cannot imagine that there will not be a conflict of interest. I do not know how this situation will be resolved. Mr McEwen has been put into a position which is simply not sustainable. Irrespective of his skills and abilities, I cannot see how his position will be sustainable. I believe it is a dumb decision to appoint a Victorian to chair South Australia's authority. The decision is even dumber when one considers that that person is the Chair of the Harness Racing Authority in Victoria and, potentially, will be placed in a conflict of interest situation.

This appointment is not sustainable within the South Australian industry. Many people within the trotting industry have already expressed their horror to me about this appointment. They may not come out and say something publicly because, obviously, they need to be able to work with Mr McEwen. They also need to be able to work with the authority and with the Minister. They need to do that for the ongoing goodwill and success of the industry. This decision has not gone down well with the trotting industry in South Australia, and nor should it; nor has the decision gone down well with people interstate.

Key people in other States around Australia—not just people involved in the trotting industry but those involved with other codes—look at South Australia as a State that cannot show confidence in an individual who resides in South Australia to chair its Harness Racing Authority. Can members believe it? We cannot find a South Australian to chair our Harness Racing Authority in South Australia. It amazes me that we go across the border to appoint a Victorian, who is living in Victoria and who is currently the Chairperson of the harness racing industry in Victoria, to also chair the authority in South Australia.

This is a dumb decision. It has no merit whatsoever. It will not and cannot work in practice. The decision has neither the support nor the confidence of the industry. The media this morning correctly highlighted the potential conflict of interest. Mr Speaker, I know full well, taking into account your previous involvement as a Minister in this area, that you would never have made such an appointment. You would never—

Mr Clarke: He should still be the Minister.

Mr WRIGHT: You should still be the Minister. You, Mr Speaker, would never appoint a Victorian who chairs the Harness Racing Authority in Victoria. I am absolutely astounded and appalled that a nomination and appointment of this kind can be made. As I said from the outset, I have nothing personal against Mr McEwen. We wish him well for the sake of the harness industry but we are disappointed with the appointment.

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

Mr MEIER (Goyder): Last Tuesday I had the pleasure of launching the Friends of Yorke Peninsula Palliative Care at Kadina. I say that I had the pleasure because I have been associated with planning committees in relation to palliative care for the Wakefield Regional Health Board for more than two years. Significant progress has been made over that time to address the issue of palliative care and to seek to introduce additional services. Many people still do not know the meaning of 'palliative care'. The dictionary defines the word 'palliate' as alleviating without curing, in other words, making a person's condition more comfortable and satisfactory but in the recognition that the person's condition will not be cured.

It is a fact of life that there is a rapid increase in demand for palliative care as a result of our great advances in medical technology, which is able to keep people alive longer. It can help people avoid heart attacks by means of bypass operations or multi-bypass operations. It is able to keep people alive by providing kidney and other transplants. People now recover from severe accidents. If one went through the whole agenda, people today are living a lot longer as a result of improved medical care and technology.

However, as we all appreciate, the end eventually comes. The truth of the matter is that it is anticipated that the incidence of cancer will increase by approximately 20 per cent in the next 10 years, and will probably increase at a similar rate in the decades thereafter. People may say, 'That is not only a frightening figure but, surely, it should be going the other way: the incidence of cancer should be decreasing as a result of our modern medical science.' The reason for the increase in the incidence of cancer is that people are being kept alive a lot longer. People are avoiding heart attacks and, perhaps, are not dying from the pain of a hip that has worn out.

People can now have hip and knee replacements, as well as kidney transplants. However, so often cancer finally catches up with a person. Cancer has a habit of taking a slow course before finally resulting in a person's death. Therefore, people need the care that is required during those very difficult periods when a person has contracted a disease such as cancer, and that is where palliative care comes to the fore. As I said at the beginning, I was very pleased to be able to launch the Friends of Yorke Peninsula Palliative Care group on Tuesday 1 December. It is a relatively small group but one that is very committed. I would like to compliment Eunice Powell, who has been the key palliative care worker for some time. It is as a result of her efforts, in the main, that this friends group has been formed. The inaugural Chairperson is Etain McNaughton. Etain has had a lot to do with caring for people over time and has a very happy outward disposition, and I think that she will be a great person to lead this group in its inaugural year.

I hope that the whole of Yorke Peninsula will be able to benefit from this, because still too often too many people are unaware that help is available for those who are suffering. Whilst so many people are admitted to a hospital, a nursing home or something similar, a huge number of people want to remain in their homes even if they have a terminal illness. The statistics indicate that the requirement for palliative care between now and the year 2006 will increase by something

like 24 per cent in the Wakefield region. The Wakefield Regional Health Board encompasses all of Yorke Peninsula, extends across to Balaclava, up to Clare, then down through the Kapunda region to the Barossa Valley.

To think that palliative care requirements will increase by 24 per cent in the next eight years is a matter that needs to be given full thought. During that time we will need not only friends groups formed but many more people trained in palliative care. In that respect, I would like to compliment the TAFE educational institution. I believe that it is occurring in more than just one area, but the Spencer Institute of TAFE is now offering specific courses in palliative care and in caring generally. It gives people the opportunity to undertake a course for a short period of time, namely, a few days, through to an extended period for up to six months or so, in order to gain the appropriate certificate in palliative care or in the health care category in which they may be seeking further experience. I hope that people will take the opportunity to avail themselves of some of these TAFE courses if they have an interest in helping others, as it is an area that will continue to grow considerably.

People looking to Governments and saying, 'You have to provide more money' will not be the answer to the problem. Certainly, Governments will need to increase expenditure in the area of palliative care, but they can do only so much. It will still come down to the individuals who are prepared to give of their time and effort to help others and, in the main, they will be volunteers, people who will not be paid for their services. They will be the everyday person in the community who will also work in association with the paid professionals. The paid professionals have a lot of experience, and I guess we will be having many more of them coming through the system in future years. The more people who can express an interest at this time, the better things will be in that area.

So, to the Friends of Yorke Peninsula Palliative Care, I say, first, thank you very much for having officially become an organisation. I trust that it will be one of many organisations throughout the State and throughout many electorates. I am uncertain as to how many similar organisations exist either in country areas or in the city, but I can assure this House that there will be more of this type of organisation in future years. The unfortunate thing, I suppose, is that it is highly likely that a majority of us may well require palliative care services in years to come. To what extent that will occur, only time will tell. Whatever the case, many people are requiring it now, and many positive comments have come back from families, in particular, appreciative of the services that are available, and from so many who have indicated that they had no idea that those sorts of services existed in the first instance.

We should not forget that it is not only during the time of suffering and the time up to a person's death that is of concern but the time after. That may well include counselling of a family after it has lost a loved one, through to helping to make funeral arrangements and the like. I guess that all of us can only improve if we receive additional knowledge and information as it relates to palliative care. As I said, 'palliate' means to alleviate without curing.

Motion carried.

At 6.16 p.m. the House adjourned until Thursday 10 December at 10.30 a.m.

HOUSE OF ASSEMBLY**Wednesday 9 December 1998**

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

**PARLIAMENTARY SUPERANNUATION
(ESTABLISHMENT OF FUND) 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.

POKER MACHINES

A petition signed by 226 residents of South Australia requesting that the House urge the Government to introduce legislation on poker machines that supports measures to give local residents the power to object to their installation, bans their advertising and have them phased out was presented by Ms Bedford.

Petition received.

RADIOACTIVE WASTE

A petition signed by 617 residents of South Australia requesting that the House urge the Government to oppose the establishment of a radioactive waste dump at Billa Kalina was presented by Ms Breuer.

Petition received.

BATTERY HENS

A petition signed by 2 167 residents of South Australia requesting that the House urge the Government to pass legislation that progressively phases out battery hen egg farming and the sale of eggs from these sources was presented by Ms Ciccarello.

Petition received.

**NORTH EASTERN COMMUNITY ASSISTANCE
PROJECT**

A petition signed by 341 residents of South Australia requesting that the House urge the Government to provide ongoing funding for the North Eastern Community Assistance Project was presented by Mrs Geraghty.

Petition received.

GULF ST VINCENT

A petition signed by 95 residents of South Australia requesting that the House urge the Government to support the enforcement of penalties for breaches of provisions of the Environment Protection Act on organisations whose activities pollute the Gulf of St Vincent was presented by Ms Rankine.

Petition received.

NOARLUNGA HOSPITAL

A petition signed by 2 701 residents of South Australia requesting that the House urge the Government to fund intensive care facilities at the Noarlunga Hospital was presented by Ms Thompson.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

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

Living Health, Report, 1997-98

By the Minister for Recreation, Sport and Racing (Hon. I.F. Evans)—

Thoroughbred Racing Authority, South Australian—
Report, 1997-98

By the Minister for Local Government (Hon. M.K. Brindal)—

Outback Areas Community Development Trust—Report,
1997-98.

WASTE MANAGEMENT

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: In December 1993 the then State Government entered into a memorandum of understanding with the Local Government Association to form the Local Government Recycling and Waste Management Board, Recycle 2000. This agreement has seen some \$6.3 million paid to Recycle 2000 since 1993-94, with some \$4.7 million spent on programs in the metropolitan area. Recycle 2000, over its planned five year lifespan, assisted in the steady expansion of recycling services and has promoted the pressing need to develop markets and to value add to our recyclables. I thank the board and the staff of Recycle 2000 for their efforts and commitment.

While Adelaide's recycling performance is equal to or better than that of most Australian States, it needs to do even better with its kerbside collection systems. Further, it is imperative that we now take a broader approach to waste minimisation, promoted by a body that can encourage action across the whole waste stream, if waste reduction goals are to be achieved in the future.

Today a new Waste Management Committee has been created to take over and broaden the role of Recycle 2000, through the signing of a memorandum of understanding with the Local Government Association, the Employers' Chamber of Commerce and Industry and the Environment Protection Authority. Importantly, the new Waste Management Committee will provide a report on the longer-term arrangements necessary to see our waste management and resource recovery systems significantly improve as we approach the new millennium. This new body will be established under the Environment Protection Act as a special committee of the Environment Protection Authority, with appropriately delegated powers and equal representation from industry, State and local government. The new committee will:

- Take over the assets, roles and functions of Recycle 2000 and give expert advice in relation to waste management matters;

- continue to be funded from the \$1 per tonne of waste received at metropolitan landfills, as well as the Recycle 2000 reserves as at the end of December 1998 (approximately \$1.3 million);
- investigate and make recommendations (by no later than 30 June 1999) to the parties to this memorandum in relation to options for long-term waste management arrangements;
- make recommendations to the parties to this memorandum in relation to strategic planning for waste management, including the identification of objectives and strategies;
- advise and make recommendations to the authority with respect to a new environment protection policy on waste management;
- apply for and receive funds to enable it to perform its roles and functions that may result from the development of the National Packaging Covenant, a scheme being negotiated by the Commonwealth, all States and Territories to deal with the recycling of packaging.

I wish the new committee well in its deliberations and in its difficult task. With the new era of cooperation between the Parties, with their genuine commitment to waste management issues, I believe that the new committee will be a major influence on waste management initiatives in South Australia

QUESTION TIME

MOTOROLA

The Hon. M.D. RANN (Leader of the Opposition):

Given that the Government is now apparently proceeding with its plans to appoint former Chief Magistrate Jim Cramond to head the Motorola inquiry, and given that the Premier has now finalised agreement with the member for Chaffey on the terms of reference for that inquiry, including those parts dealing with the Premier's own actions and statements, why has the Premier failed to make a ministerial statement to the House today on those terms of reference, before flying to Melbourne for the golf?

The Hon. J.W. OLSEN: The Prime Minister is having a dinner in Melbourne this evening, for which I asked for a pair, and the Leader of the Opposition declined. I have cancelled the Prime Minister's dinner in Melbourne because the Leader of the Opposition, in a petty way, declined my request for a pair to enable me to attend a forum with the Prime Minister and the Premiers of the other States. Petty as he might be, we have become accustomed to this sort of approach from the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order! I call the Leader to order.

The Hon. J.W. OLSEN: The Attorney will issue a statement when matters are finalised.

ELECTRICITY, PRIVATISATION

Mr HAMILTON-SMITH (Waite): Will the Premier advise the House whether the Government is confident that the current level of dividend paid by the State's power utilities will continue to flow to the budget if assets remain in public hands?

The Hon. J.W. OLSEN: This question goes to the nub of the approach of the Government on this issue. With the advent of the National Electricity Market, there will be significant risks for operators of South Australian power utilities, whether they are owned by the private sector or the

public, that is, the taxpayers of South Australia. Fundamental to our approach on this issue has been the view that South Australian taxpayers should not be asked to bear that risk—a risk identified by the Auditor-General in December last year. They should not have their money put at risk in a highly competitive deregulated market, as happened with the State's financial institutions in the past—and we are still struggling with that legacy of inaction by the former Administration in relation to the State Bank.

It is true that ETSA and Optima are currently profitable. But I am not sure whether members opposite, or Mr Xenophon, have ever really questioned the basis of that profitability. Where is the profitability, and how has it been established? If we go back to 1988, ETSA and Optima between them—

Mr Foley interjecting:

The SPEAKER: Order! I call the member for Hart to order.

The Hon. J.W. OLSEN: —employed almost 6 000 people. The then Labor Government started a process—and well the member for Hart might interject—of dramatic reductions in employment so that, by the time we took office, the number of employees had been reduced past 3 000. Currently, the number of employees is some 2 500. So, it was the Labor Administration that started the very significant downsizing of ETSA and Optima in South Australia. I do not have any argument with that. But let members opposite not be hypocritical: it was they, of policy necessity, who pursued that course.

In 1988, South Australia produced all the energy it required. In 1998, 10 years later, 40 per cent of our electricity comes from low cost coal-fired power stations across the border in Victoria, on the interconnector built by the former Labor Administration. Therefore, the growth in profits—and this is the point for the member for Hart—of ETSA and Optima over the past two years has been based on a reduction in employment and access to cheap electricity, which is being sold at a much higher price. To increase the profit in the future will require further cost reductions and continued access to cheap power. How does one achieve further cost reductions? There is only one substantial way, and that is further substantial reduction in employment levels in ETSA and Optima.

These are the stark choices that will face South Australians and this Parliament in the next 12 months or so. This stark choice will be put to the Labor Party, that policy free zone in this State, as to what course of action the Labor Party wants this Parliament to sign off on. Do Labor members want increased taxes? Do they want to reduce services? I notice that representatives of the Public Service Association are in the gallery today. I will go so far as to say that, in terms of productivity and efficiency gains and cutting out inefficiencies in delivery of public services, we have gone as far as we can go. That leaves only two choices: either we increase taxes or we go into deficit funding.

If the State goes into deficit annual funding, the implications for credit rating purposes are that we will be disadvantaged. That means that, for the debt that we continue to carry as a result of the Labor Party's intransigence on this matter, we will continue the debt and therefore continue the interest bills. We will not walk away from this issue, and the stark choice will be put back to the Labor Party next year—the stark choice that is facing the Government of South Australia.

To come back to my point, we also see put at risk the dividends from ETSA and Optima. The national electricity

market starts on 13 December, four days from now, and it will incorporate South Australia. That will enable large companies like Western Mining to search for the best power price they can get. Western Mining, which consumes between 15 and 20 per cent—

The Hon. M.D. Rann: Ian Webber is on the board—

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for continuing to interject after he has been called to order.

The Hon. J.W. OLSEN: The profits or the dividends of ETSA are predicated on maintenance of revenue or sales. One company—Western Mining—generates between 15 and 20 per cent of ETSA's revenue. It has made it clear that it will source its power from the cheapest source, and at the moment that looks like Victoria. If Western Mining shifts on a contractual basis, as it can on 13 December, and buys all its power from Victoria, that will be 15 to 20 per cent off the top of the revenue or sales of ETSA in South Australia, and that comes off the dividends and the profitability of ETSA.

The people who have their head in the sand with their simple proposition that we should hang onto the assets and get the dividends *ad infinitum* are living in a fool's paradise. It will not happen. In the past week—it was reported last Friday—the Auditor-General in New South Wales, no less, spoke about a 94 per cent reduction in the profitability of the generators in New South Wales as a result of the competitive market. Between now and early next year when this House and this Parliament will have another opportunity to consider this matter, we will see the question of Riverlink move to a more certain position, and the question of Pelican Point and additional generation will be sorted out, but importantly it will also demonstrate how the national electricity market will start to impact on sales in South Australia, and therefore revenue and dividends for ETSA, and part of the risk will be exposed.

Hopefully in the next few months members opposite and Mr Xenophon will start to see the amalgam of these forces that nobody can stop, that are rolling in on South Australia, forces that we mean to take account of for the long-term future of our kids. These forces will become clear in the next few months.

Mr Conlon interjecting:

The Hon. J.W. OLSEN: I know that the member for Hart is somewhat disappointed.

Members interjecting:

The Hon. J.W. OLSEN: The 'Fonlons', Mr Speaker! We can see them together. I bet that the Leader of the Opposition choked on his Weeties last Saturday morning when he read the article about the 'Fonlons', this collaborative group working closely together.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The member for Hart is in some difficulty in this, because he tells the business community, 'I hope they sell it.' The member for Hart, misguided as he is, goes around telling everybody that he will be the next Treasurer in South Australia. God help South Australia if ever that were to occur. The member for Hart keeps telling the business people, 'Take notice of me; I will be the next Treasurer.' The member for Hart is a realist if he is nothing else. He would not want to have a Treasury that is absolutely broke. The member for Hart, despite his statements in this House, secretly wanted this deal to go through so he could

have it both ways and could take us on politically, as we have seen him do in this Parliament in the past month or two—have a go, take the political one-upmanship, at the same time trying to reap the reward in the fullness of time. Neither of them will come to pass for the member for Hart.

The only way that you can guarantee the dividends out of ETSA and Optima in the future is to increase the price of electricity. It is the only guarantee. Is the Opposition seriously contending that it will take the 2 500 employees down to 2 000, 1 500 or 1 000? It is a rhetorical question to the Leader of the Opposition and members opposite. How will they maintain the dividends? How will they maintain the revenue stream of ETSA and Optima? Given the national electricity market, the only way the Leader of the Opposition and Opposition members can maintain in the future—on their policy—the dividends from ETSA is to increase prices. That is not what we on this side of the House will support.

We do not support increasing power prices on South Australians, either on residential consumers or on business consumers. We want a conducive business climate and, as I have said on a number of occasions in this House, a conducive business climate is important for investment. General Motors is saying—and I repeat it again for the benefit of the member for Elder—that it is producing a motor vehicle for the domestic market in Australia out of South Australia: it is competing against Ford in Victoria, but Ford in Victoria has electricity prices or input costs that are lower than those that apply in South Australia. General Motors wants its costs reduced so it can compete. And General Motors is a success story—

Members interjecting:

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

The Hon. J.W. OLSEN:—in that it is exporting currently to the Middle East and South America. The only way that we will guarantee that that company will continue to invest, expand and grow, and create more jobs is to make sure that the input costs such as power are nationally and internationally competitive. That is the basis of our policy thrust. It is a thrust that will continue—

An honourable member interjecting:

The Hon. J.W. OLSEN: I know you couldn't, because this is just too complicated for you. You wouldn't even understand the basics of it. What we are trying to do is position this State so it has an economic future. The member for Lee is a member of a Party that effectively destroyed the economic future of South Australia. We are rebuilding the focus of South Australia in the future. In doing so, we will not adopt the policy that increases prices on consumers, and we will not put at risk competition payments for South Australia. It is about creating a viable future for this State.

Members interjecting:

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

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for the third and last time. The House will come to order and settle down.

The Hon. M.D. RANN (Leader of the Opposition): Given that the Premier has repeatedly stated that electricity privatisation is central to his Government's agenda, will he declare electricity privatisation or lease legislation to be debated in this House early next year a Bill of special importance, or will he bring on a motion of no-confidence against his own Government? They look confused; I can

understand why. In a press conference on 25 November 1997, after his disastrous State election performance, the Premier stated that, if key legislation was blocked, the Government could bring on an election by deliberately losing a motion of no-confidence against itself. A media report states:

Mr Olsen said he would rather risk being thrown out of government at an early poll than 'keep a seat warm' . . .

Will he save his colleagues the time by voting for a no-confidence motion in his own leadership?

The Hon. J.W. OLSEN: The real choice and the real test will be on the Opposition next year. We are preparing now a number of measures to be put before this Parliament next year, and the stark choice will be that of the Leader of the Opposition. The Leader of the Opposition can make up his mind on a range of tax increases on South Australians. The Leader of the Opposition can make up his mind on when he will cut and decimate further essential services and the provision of them in South Australia. The Leader of the Opposition can make up his mind and vote on whether he will increase the deficit on which they did such a good job the last time they were in government. Let us not slither away. The Leader of the Opposition—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I am sorry to interrupt the Premier. I warn the Leader; I expect him to abide by the Standing Orders the same as any other member. The Leader of the Opposition has been warned on three occasions now and, if he continues to interject when he has been called to order, I will have no option but to name him.

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart.

Mr Foley: I just said, 'It's funny.'

The SPEAKER: Order! I warn the member for Hart for the second time.

The Hon. J.W. OLSEN: The Government will be putting the stark choice. This policy free Opposition, which has put no alternative but simply to block, stall and say 'No' to any policy initiative put up by this Government in the course of the past year, will have the stark choice put on the table. It will be interesting to see next year what the Opposition does, because what we will have next year is, first, Pelican Point resolved; secondly, Riverlink moved forward—

Ms Breuer interjecting:

The Hon. J.W. OLSEN: The member for Whyalla is trying to impress council members who are observing proceedings today. I have answered the honourable member's question in relation to the power facility in Whyalla. The stark choice will be put to the Opposition. And let me go back and repeat that, by the time we get to considering this question next year in the Parliament, a number of matters will have been sorted out. First, the real risk of the national electricity market will become evident; secondly, Riverlink will have a part resolution; and, thirdly, certainly Pelican Point will be resolved. They are the questions put forward by Mr Xenophon yesterday as to reasons why he could not support a lease at this stage.

Over the next few months, a number of these matters will be resolved. If they are resolved, the excuse starts to dissipate and, when the excuse dissipates and we get the facts and the stark choices on the table, it will be interesting to see the whites of their eyes on that occasion.

RIVERLINK

The Hon. G.A. INGERSON (Bragg): Will the Premier advise the House of the progress of the review of the rules which govern a proposed interconnector receiving regulated status?

The Hon. J.W. OLSEN: The question asked by the member for Bragg is particularly important, because Mr Xenophon has suggested that the Government 'pulled the plug' on the plan to build the Riverlink connector. Of all the reasons we have heard for deciding not to relieve South Australian taxpayers of the burden of the State Bank debt, that must be the most intellectually dishonest. As has been explained time and again, the Government did not stop Riverlink: that was a decision of the National Energy Market Management Company (NEMMCO). Following that decision, and at the request of the New South Wales Government—and I hasten to point out a Labor Government in New South Wales—a review of the rules governing whether or not it will have regulated status is being conducted by the ACCC.

The South Australian Government has no objection—absolutely no objection—to Riverlink. We have told its promoters that, as soon as they make the commitment, they will receive all the support that we can give them. They have declined to take that risk and build the line because regulated status for Riverlink means that the owners of the line, proposed to be Transgrid (New South Wales Government Trading Enterprise), will receive a guaranteed return on their investment. Why should consumers in this State be locked into guaranteeing a Government business enterprise interstate?

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the last time.

The Hon. J.W. OLSEN: As I said, these profits would be paid by electricity consumers in South Australia. We will not consign consumers of electricity in this State to guaranteeing and underwriting risks of a Government business enterprise from another State, particularly a Labor State at that. For Riverlink, those profits will mean \$15 million to \$20 million per year in increased transmission charges to South Australian electricity consumers, and we will not inflict an extra \$15 million to \$20 million on electricity consumers in South Australia.

The New South Wales Labor Government has claimed large benefits, but if Riverlink has regulated status they will face no consequences if these benefits do not eventuate while collecting their guaranteed profits: that is an essential concern of this Government, and that has been explained to Mr Xenophon in clear detail.

Returning to the review of the ACCC that I mentioned a moment ago, the ACCC held a meeting in Canberra this week to discuss the draft report from Ernst and Young, and one of the key principles of that draft report is as follows:

If anticipated benefits do not eventuate, there should be a clear and direct relationship between the loss of benefits and any impact on the transmission network service provider [which in this case is Transgrid].

That would address one of the major concerns of the Government. Let them carry the risk; do not put it onto the consumers of electricity in South Australia. If that recommendation in the consultants' report as part of the ACCC review is agreed to, it will be interesting to see, if this new rule is adopted, whether Mr Xenophon's friends will be so ready to make their investment.

MOTOROLA**The Hon. M.D. RANN (Leader of the Opposition):**

Given that following the Government's use of its numbers to prevent a privileges committee into whether the Premier misled the Parliament the Premier then personally announced that his Motorola actions would be investigated by the Solicitor-General, Mr Brad Selway, can the Premier now give the House an assurance that the terms of reference, already agreed and finalised with the member for Chaffey, will require a report on the central question of whether over four years the Premier misled this Parliament over his Motorola deal?

The Hon. J.W. OLSEN: Again, the premise of the Leader's question is wrong. I have not at any stage misled this House. That is a clear contention which I have and maintain quite strenuously. As I have said before, I look forward to apology from the Leader of the Opposition and, knowing that he does not have the good grace ever to do so, I look forward to receiving one from the media.

WATER SUPPLY

Mr CONDOUS (Colton): My question is directed to the Minister for Government Enterprises. What initiatives could the Government contribute in relation to water services if access to capital was improved?

The Hon. M.H. ARMITAGE: I thank the member for Colton for his very important question which clearly identifies the fact that a number of South Australians are waiting for the development of a range of Government services, and not only in the water area. The ALP's opposition to the sale of ETSA and the money which would flow from that sale has in fact condemned those South Australians to wait longer, perhaps decades longer, than they otherwise may have had to do.

With my portfolio responsibilities for water, I am acutely aware of the needs of South Australians to receive quality filtered water, particularly in country and regional areas, not only for the residents themselves but also for industries such as tourism, food, and so on. I am advised that 114 000 South Australians receive all or some of their water from unfiltered sources. For example, 10 000 people receive unfiltered Murray River water and a further 14 000 people are still reliant on ground water of varying and, I guess it would be fair to say, some times dubious quality. These are not necessarily just remote communities where hardship could be said to be inevitable because of the tyranny of distance, but they—

The SPEAKER: I remind the cameramen in the gallery of the rules on filming.

The Hon. M.H. ARMITAGE:—may, in fact, be country and, indeed, communities such as Callington, Cudlee Creek, Birdwood, Blanchetown, Paringa, etc., commuting to Adelaide. I am delighted that representatives of the Whyalla council are present today because I pose a question to the member for Giles. Country and regional South Australia, including Whyalla, are faced with the need to upgrade waste water treatment plants. I ask the member for Giles, acknowledging that representatives of her council are present in the gallery: how can the honourable member justify insisting on continued public ownership of a service such as ETSA when to do so denies her constituents of Whyalla the flow of funding that would provide them with an improvement in public infrastructure? How can the member for Giles do that?

Labor cannot just blame the Hon. Mr Xenophon. I know that is what it will try to do, but it will move the blame to Mr Xenophon only if the people of South Australia fail to realise that Mr Xenophon in another place has the casting vote for the future of South Australia only because the Labor Party has given it to him. The needs of country and regional South Australia for improved infrastructure will last long after the Hon. Mr Xenophon's name is forgotten from the annals of South Australian politics. But, like the State Bank, the odour and the odium will lie on the Labor Party much, much longer if it does not allow access to the capital which the sale or lease of ETSA would provide.

The Hon. D.C. Wotton interjecting:

The Hon. M.H. ARMITAGE: Indeed, as the member for Heysen says, the Democrats also have the same responsibility because it is they, combined with the Labor Party in another place, who have given the Hon. Mr Xenophon the power to hold a gun at the head of the future of South Australia. The Opposition and the media tried to make much of water quality issues during 1998, especially in the context of Sydney Water's failure and SA Water's success in keeping our product water giardia free.

SA Water continues to achieve remarkable results with its available resources, but to maintain the world-class services which SA Water wants to give to South Australians and which South Australians, frankly, have a right to expect does require the funds that the sale of ETSA would release. The Opposition, frankly, can have no credibility in raising issues such as water quality in the future, in my portfolio area in particular, because, as we face challenges to maintain water quality from, for argument's sake, multiple use catchments, we also have a need to invest money in our water infrastructure. The Labor Party, the Democrats and Mr Xenophon are denying South Australians access to that capital and, hence, access to world-class services.

MOTOROLA

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Minister for Human Services. Given the importance of the Motorola contract inquiry to the future of the Olsen Government and the Minister's central role in the contract as the former Premier, will he agree to give evidence to the inquiry? Yesterday the Premier told the House that the question of whether the former Premier gave evidence to the inquiry was an issue without substance.

The SPEAKER: The Chair is of the view that the Minister has no responsibility, as far as his portfolio is concerned, for this particular issue. I do not see a requirement for the Minister to answer unless he desires to speak on the subject.

The Hon. DEAN BROWN: I do not know the terms of reference of the inquiry, so I cannot comment. I know of no such inquiry.

Mr Conlon interjecting:

The SPEAKER: Order! I warn the member for Elder.

KOALAS

Mr McEWEN (Gordon): Given that to date the koala management plan on Kangaroo Island has cost in excess of \$600 000 and that the program is to continue for another two years, will the Minister for Environment and Heritage please advise the House of the expected total expenditure on the koala management program?

The Hon. D.C. KOTZ: I think that members in this House are well advised of the background to the introduced population of koalas on Kangaroo Island which caused some very serious over-browsing of native tree species. I believe that, as far back as 1994, the koala population size was estimated at between 3 000 and 5 000. It was recognised at that time that, if the koala population was not managed to limit numbers, over-browsing would not only kill the trees and cause degradation to the riparian habitats but also cause a food shortage for the koala population, which would lead to starvation for many animals.

In 1996, if I remember correctly, the Government, in response to national and international concerns, rejected the option of culling koalas to control their population size and approved a management strategy. At that time the overall budget was \$635 000, which was provided for implementing the strategy over an 18 month period from January 1997 to June 1998. The Commonwealth also provided funds for the project totalling \$150 000, and the remaining \$485 000 was provided as a special allocation from the State Government. A public appeal called 'Koala Rescue' was also introduced at the time, and a sponsorship program was established to attempt to recoup some of the State's component.

The total cost of the program over 18 months was \$611 642. By the end of June 1998 a total of 2 500 koalas had been sterilised in heavily over-browsed areas, mainly along the Cygnet River on Kangaroo Island, and 850 koalas have been relocated to suitable habitat in the South-East. Taking into account the number of koalas translocated to the South-East, about 80 per cent of the Cygnet River population has now been sterilised. I am advised that the effect of the sterilisation program on population size should start to have an impact throughout the 1998-99 breeding season.

The required budget for 1998-99 is \$259 000 and \$2 440 for 1999-2000. These funds are being provided from the department's recurrent budget. The fertility control and monitoring program will therefore continue for a further two years to achieve what we believe will be the appropriate level of population control. At this stage the program will be reviewed, although I advise the honourable member that by then it is anticipated that it will have reached a very low level of maintenance.

MOTOROLA

Mr CONLON (Elder): Will the Premier guarantee that there will be no interference with or harassment of the person conducting the inquiry into whether the Premier misled the House over the Government's deal with Motorola? In the inquiry by Mr Anderson QC into allegations of conflict of interest by the former Finance Minister the Government refused to hand over key documents; the Premier refused to table the full report (after having made a commitment to do so); Mr Anderson's office was cleared without his knowledge; and Mr Anderson was denied a copy of his own report and supporting documents. So, the question is not so unreasonable.

Members interjecting:

The SPEAKER: Order! I call the member for Schubert to order.

The Hon. J.W. OLSEN: What the Opposition is demonstrating clearly today is that it has no substantive questions to ask about South Australia's future or its economic base. Members opposite are absolutely bereft of questions. Of course there will be no harassment.

SOUTH-EAST WATER

Mr WILLIAMS (MacKillop): In view of her statements regarding having management plans in place before problems arise, will the Minister for Environment and Heritage explain to the House why the northern part of the region that falls within the boundaries of the South-East Catchment Water Management Board has not been prescribed under the Water Resources Act 1997? The Water Resources Act empowers catchment water management boards only with respect to resources prescribed under that Act. I understand that representatives from the South Australian Farmers Federation have raised concerns with the Minister regarding unregulated pressure on the resource in this area, as have I after approaches from constituents. All other parts of the board's area have been prescribed.

The Hon. D.C. KOTZ: I thank the honourable member for his very important question. The Water Resources Act 1997, as most members of this House would now know, sets out criteria under which the Government can take action to regulate water areas by prescription. In simple terms, this relates to the sustainability and quality of the water source. If either is determined to be at risk, prescription is certainly an action that the Government can take under the Water Resources Act. We also understand that water is intrinsically linked to the environment, and the balance between the use of water and the environmental sustainability of the environment and water is the reason why the Government established the water catchment boards.

I am not sure exactly what area the honourable member is talking about but, if he is talking about the Tatiara area, that is already a prescribed area of the State. If the honourable member has had any advice that any area is at risk, I suggest that he bring those concerns to me and identify the areas. To my knowledge, at this time I have not had any representation from the South Australian Farmers Federation about looking at any action on any aspect of the area to the north, although it may be in train and has not yet reached me. I certainly have not had discussions with the South Australian Farmers Federation along those lines.

The catchment water management boards have the power to recommend to me that, if an area is perceived to be at risk or if they have the technical advice that an area is at risk, their boundaries be increased, particularly if we are talking about an area adjacent to catchment regions already established. If the honourable member has specific information that he would like me to look at in those terms, I would be more than happy to receive it from him.

MOTOROLA

Mr CONLON (Elder): Given that the Premier yesterday agreed to table the Motorola contract report, will he now give a clear and unequivocal commitment also to table all relevant documents including all correspondence from Motorola to the Government and, in particular, Motorola's reply to the Premier's letter dated 14 April 1994?

The Hon. J.W. OLSEN: In accordance with not breaching any practices of the Parliament, for example, IDC minutes, which will no doubt be a subject for consideration, and complying with all those ordinary processes and practices of the Parliament, the answer would be 'Yes.'

MINERAL AND ENERGY EXPLORATION

Mrs PENFOLD (Flinders): Will the Minister for Natural Resources and Regional Development please explain the level of support and incentives that this Government is providing to attract potential mineral or energy exploration companies to South Australia?

The Hon. R.G. KERIN: As the honourable member knows, the Government is very keen on prospecting for both minerals and gas, and we are providing a wide range of both support and incentives to attract potential mineral and energy exploration companies to South Australia. The Government provides industry, including potential new players to the State, with a wide range of high quality data at a very cheap price, as well as advice in relation to exploration and development. That is now available from the new Minerals and Energy Centre in Grenfell Street.

The provision of the data is a very strong incentive for explorers to focus on South Australia, and we have committed \$23.2 million over the next four years for our regional exploration program. This includes \$10 million to fund new data gathering programs for those areas of the State that are regarded as under-explored. The investment, therefore, is certain to attract new explorers, and we would also like to see far more activity from our existing explorers. South Australia's mineral and energy resources will also be marketed to overseas and interstate investors to promote new mining developments under an initiative that we announced last week.

Last week in South Australia was Resources Week, which brought a lot of interstate people to Adelaide, and during that week we launched a new publication for distribution in Australia and overseas to encourage new exploration opportunities in this State. The mining and petroleum industries are under-developed in South Australia, and we have the potential for these industries to be an engine room for future economic growth and development, not just in the north of the State but flowing over into the northern regional cities.

The publication is entitled *The New Frontier—Unlocking South Australia's Mineral Wealth*, and it will be used to raise the level of interest, investment and activity in mineral exploration by promoting the huge array of opportunities that exist. Certainly, there is considerable excitement amongst explorers about our undiscovered resources. We need to promote South Australia's competitive advantage in this area and demonstrate the Government's support for potential new market players. The Government will vigorously continue its investment in the exploration industry to ensure that the benefits of sensible new development of our natural resources flow on to the people of South Australia and have an increased focus on how we can value add to those resources to create more jobs in regional South Australia.

ELECTRICITY, PRIVATISATION

Mr FOLEY (Hart): My question is directed to the Premier. How much has been spent by the Government to date on consultants working on the sale or lease of ETSa and Optima, and will the Government now terminate all consultant contracts? On 17 June 1998 the Treasurer said that \$3.7 million had been spent on consultants in 1997-98 and that a further \$8.5 million would be spent in 1998-99.

The Hon. J.W. OLSEN: I am not aware of the total sums in this respect. I will refer the member for Hart's question to the Treasurer for a considered reply.

The SPEAKER: The honourable member for Stuart.

PORT AUGUSTA

Mr Koutsantonis: That's you, Gunny.

The Hon. G.M. GUNN (Stuart): I don't need to be told by the brainchild from Peake. Will the Minister—

Members interjecting:

The SPEAKER: Order! The member for Stuart has the floor.

The Hon. G.M. GUNN: Will the Minister for Police, Correctional Services and Emergency Services outline the results of discussions held with senior police and Port Augusta council officials to address perceived problems in Port Augusta, and will the Minister also advise the House what plans he has to visit the city in the next few weeks?

The Hon. R.L. BROKENSHIRE: As the Minister for Police, I wish to state how much I have appreciated the commitment of the local member in creating the opportunity for us to discuss this serious issue.

Members interjecting:

The SPEAKER: Order! The member for Ross Smith.

The Hon. R.L. BROKENSHIRE: I understand that the Opposition would not see this as a serious issue, but on this side of the House we take both economic and social issues seriously. In due course—

Members interjecting:

The SPEAKER: Order! I warn the member for Ross Smith for the second time.

The Hon. R.L. BROKENSHIRE: Thank you for your protection, Sir. In due course, I will explain to the House the reasons why we could do even more if it were not for members opposite. Soon after the issues that arose recently during weekends and of an evening in Port Augusta, through the member for Stuart I arranged to have the Mayor, Joy Baluch, senior police officers, including the Commissioner, the Deputy Commissioner and the Superintendent, meet with me to discuss the complexity of the issues that have recently occurred in Port Augusta.

Clearly, there is not one easy answer to this issue: it has been around for a long time, and a holistic approach is needed to fix the problem, as well as support from the community. To that end, I would like to congratulate the Port Augusta council on the way in which it has shown initiative in developing a Social Policy Committee. In order to assist the council with this committee, I am delighted to announce that, through my ministerial colleague the Attorney-General, \$65 000 has been approved for the next three years on a recurrent basis to support the council in its endeavours to assist with this problem. Those funds will allow for the employment of a crime prevention officer, who will work directly with the Social Policy Committee.

As an urgent issue, the police have decided to step up policing on Friday and Saturday evenings and to increase police numbers on those shifts from 7 p.m. to 10 p.m. But policing alone will not solve this issue, as the member for Stuart knows, and the Elders of the Aboriginal community in that area have also highlighted that fact to me. So, on 22 December I will be meeting (again, thanks to organisation through the member for Stuart's office) with the Mayor, the Aboriginal Elders, all the councillors from the City of Port Augusta and other people who have concerns over this issue,

to obtain a first-hand understanding of just how complex an issue this is and to try to determine how we can work to improve the situation.

One of the other opportunities that was discussed during the meeting was the idea of looking at an opportunity, through the State Government, for a facility that is no longer used to be developed as a drop-in centre for young people so that they will be able to receive peer support and where care workers will be able to assist them to work through their issues of concern. If the Opposition were in a position to support a situation such as the sale of ETSA, and if it were prepared to accept that it drove this State into bankruptcy and that, therefore, it has an obligation to every South Australian to support this Government in its endeavours to improve the worth—

Mr Hanna interjecting:

The Hon. R.L. BROKENSHIRE: The member for Mitchell—who is still trying to find out where Glenthorne Station is—can say whatever he wants to say. As a card carrying member of the Labor Party, he is one of those responsible for the ineptitude of the previous Labor Government and, as a result of that, today—

Mr FOLEY: Sir, I rise on a point of order. The Minister is clearly now debating the question. This is not even about the question.

The SPEAKER: Order! I uphold the point of order. The Minister clearly did start to debate, under Standing Order 98. I ask him to return to his reply.

The Hon. R.L. BROKENSHIRE: There is also more that we would like to do in the Port Augusta area, and in all other parts of South Australia. But when we are hamstrung by a massive debt and all we have is a joke on the other side, an Opposition that is not prepared to help this Government get on with the job, it makes our job a lot harder. I hope the people of Port Augusta and South Australia realise that members opposite are only a joke and are of no benefit whatsoever in fixing our problems.

Members interjecting:

The SPEAKER: Order!

ELECTRICITY, PRIVATISATION

Mr FOLEY (Hart): That was a hoot! Does the Police Commissioner laugh when the Minister walks in the room? My question is directed to the Premier.

The Hon. R.L. Brokenshire interjecting:

Mr FOLEY: I pity Mal Hyde having to meet with that bloke every week.

The SPEAKER: Order!

Mr FOLEY: How much has been paid to US sale consultants Morgan Stanley to date for its work on the sale or lease of ETSA and Optima and, given the Government's decision to now withdraw the legislation, what further fees will be paid to those consultants? An article published on 16 March 1998 stated that the Government had interviewed international consortiums and consultants that were vying for the contract as advisers to the Government on the sale, which 'could be worth up to \$30 million'.

The Hon. J.W. OLSEN: As with the previous question from the member for Hart, I will refer this question to the Treasurer for advice.

Mr SCALZI (Hartley): My question is directed to the Minister for Employment. How would proceeds of the lease of ETSA and Optima be put towards employment programs?

The Hon. M.K. BRINDAL: I thank the member for Hartley for his question, because this is a pivotal question for all South Australians. As of yesterday, we continue to pay \$2 million a day in interest. That is \$700 million a year. The member for Hart can laugh, but that is a lot of employment opportunities gone out the window—a terrific lot of employment opportunities. The member for Hart might have done better, as did many of his colleagues—a great many of his colleagues, to whom I pay tribute—to attend some of the Jobs Forums and to sit down with unemployed people and see what a joke it is when you do not have a job or an income.

Yesterday, because of what this House did, members opposite have limited the opportunity of this Government to help the unemployed people of this State. We have this year committed \$100 million, which is a record for any Government. And it is a credit to this Government, because of its limited resources. Yesterday, we had the opportunity to do much more, and that opportunity was denied to us, not only because of Mr Xenophon but also because of the Democrats and the Labor Opposition. While members sit smugly on the opposite side of the House, blaming everyone else, there are a number of people from their Party who did not vote for the sale or lease of ETSA and who, therefore, can come with me and face the unemployed people of this State and tell them that they could have had more opportunities for jobs but they will be denied those opportunities because of the petty ambitions and grasping dishonesty of the ALP in this State.

MATTERS OF PRIVILEGE

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to you, Mr Speaker. Given the quite different ways in which Speakers have recommended the House conduct matters of privilege in recent times, will you, Mr Speaker, now examine the way in which matters of privilege are dealt with by the forms of this House in comparison with other Parliaments that operate under the Westminster system, and will you consider placing before the House a report detailing your recommendations in regard to dealing with any future matters of privilege? Moving the goalposts has created some confusion in this House, with quite different rulings made in recent time by Speakers in relation to matters of privilege.

The SPEAKER: I believe that the problem members have is that they do not read or listen to the rulings of the Chair. On the few occasions—

An honourable member interjecting:

The SPEAKER: The honourable member interjects that the goalposts vary, and they do vary. On each occasion there have been slightly different circumstances. On each occasion the Chair has gone into a lot of detail to explain the process under which we work. Privilege is a matter which has only recently been raised in this Parliament. Probably more privilege matters have been raised in the past 12 months than the previous 20 years, and I believe that most members do not understand the process and, in particular, do not understand the role of the Speaker in the decision-making process in respect of making time available to displace other matters on the Notice Paper to give precedence for a motion to come forward. Ultimately, the House has to decide whether it wants to have a motion and a debate, and the House has to decide the process after that.

I refer members to the Standing Orders on privilege. Standing Order 132 provides:

All points of order and matters of privilege whenever they arise suspend consideration of the question under discussion until they are decided.

There is nothing else in the South Australian Standing Orders that says anything about *prima facie* cases, and there is nothing that says that the Speaker has to conduct a magisterial-type inquiry. I remember on one occasion that the Leader of the Opposition suggested that the Speaker call for 1 000 sheets of ETSA documents and study them, and he listed the number of witnesses that I was expected to interview. That is not the role of the Speaker: that is the role of the Privileges Committee if such a decision is taken.

I also refer to Standing Order 202 of the Upper House, which provides:

All questions of privilege shall at once be referred without debate to a committee of privilege for inquiry and report.

In that Chamber there is not even a debate: it goes straight to a Privileges Committee. I raised this matter in a paper at a conference of presiding officers in Sydney this year. It was discussed by over a dozen presiding officers and each one was of a considered view, after debate, that the Speaker should not get involved in inquiries but rather determine whether there is a matter of privilege or whether the matter touches on privilege. At the end of the day, it is the House that has to decide what course of action it will take.

It is not a question of shifting the goalposts but ultimately giving the members of the House—the 46 members on the floor—the decision to make the course of action apparent. On each occasion the Chair has done that and the House has decided. In answer to the honourable member's question, I will go back through all the rulings, I will summarise them and produce them as a paper. I will not be able to do that by tomorrow, which is the next sitting day, but most certainly in the first sitting week in the new year I will bring back a paper summarising and setting down exactly what the rules are that I work to in establishing matters of precedence.

TOURISM, ROAD FUNDING

Mr VENNING (Schubert): Will the Minister for Tourism inform the House of the successful applicants for funding under the Tourism Road Grant Program this year? I understand that the Government operates a program supporting investment in road infrastructure in developing tourism areas and that the Minister recently approved applicants under this year's program.

The Hon. J. HALL: I thank the honourable member for his question because, as most Ministers would know, he is a ferocious advocate for his electorate and he manages to extract copious quantities of money. As the honourable member said, the Tourist Road Grant Program is a Government initiative that has been designed specifically to assist in the development of important road infrastructure in developing tourism areas. The terms of reference are quite specific and the key objectives of the program are to open up and further develop areas of significant tourism potential, particularly as they relate to interstate and international visitors. Other objectives are to assist in the provision of roads that link together major tourist destinations, and to provide or improve access to significant individual tourist attractions.

I am delighted to inform the House that more than \$600 000 is available for this year's road grant program and I would like to inform the House of some of the details of the allocations. The funding is usually provided on a matching

dollar for dollar basis, and that is not just to councils but to other eligible agencies such as the Department of Environment and Heritage. This year, the funding has been distributed between two previously approved multi-stage projects and seven new applications.

The first covers specific areas of the District Council of Elliston, which has a grant of \$95 000 in 1998-99 as part of a three-year project at a total cost of \$573 000. It involves the upgrading of a number of tourist-based roads in the Elliston district, including those to the Talia Caves, Mount Camel and Lake Newland.

The Hon. D.C. Kotz interjecting:

The Hon. J. HALL: I know that the Minister for Environment and Heritage is very pleased about that. That is the final stage of the project, and the council reports that it has received hundreds of compliments from the visitors who have travelled along the upgraded roads, and the district is enjoying significantly increased visitor nights. The other council area is that of Clare and Gilbert Valley, which has received \$83 100 in 1998-99 as part of a two-year project, with a total project cost of \$332 000. This will ensure the upgrade of more than five kilometres of road from Penwortham to Sevenhill via the Skillogalee Valley, and I know that the member for Schubert will be delighted about that.

An honourable member interjecting:

The Hon. J. HALL: And the member for Frome—I beg his pardon! These roads will provide access to several wineries and restaurants in the area, and their upgrade follows very strong representation from both the local members involved. I also congratulate the former Minister, the member for Bragg, on working so closely with the local councils and the tourist associations to turn these grants into reality.

I am sure that the House would be interested to know of the funding for a couple of other specific projects. The District Council of Streaky Bay will receive \$84 000, making a total project allocation of \$336 000. That will improve the Point Labatt Road, which leads to a viewing platform overlooking the only Australian mainland sea lion colony, and to the southern leg of the road leading to coastal features including Smooth Pool, the Granites and High Cliff. I know that the member for Flinders is particularly interested in that allocation.

The District Council of Mount Remarkable is to receive \$85 000 in a total project allocation of \$505 000 for the Alligator Gorge Road, which handles more than 20 000 vehicles a year, and that will also provide access to Alligator Gorge and Mount Remarkable National Park. There are a number of other programs and projects that I am sure the House would be interested to learn of, and I might provide more information on this subject tomorrow.

GRIEVANCE DEBATE

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

Mr CONLON (Elder): Today this House has seen something extraordinary. After all the promises about the inquiry into the Premier and Motorola, before the inquiry has started, before we have got out of the starting blocks, before we know who it is, the cover-up has started—the first cover-

up. Over the past few days, the member for Chaffey has been negotiating with the Government, and there has been a lot of delaying, arguing and prevaricating, but they have finally come to an arrangement and they have agreed on the terms of reference. They have decided to appoint former Chief Magistrate Jim Cramond.

The Premier was going to clear his name in this place and make Mike Rann apologise but, having done all that, what do we know about the terms of reference? Nothing; they are a secret. The Premier was going to slide out of here tonight, go off to the golf and keep the terms of reference a secret from Parliament. Because Parliament will soon get up, he is hoping to get away from the intense scrutiny that he faces and, as I said, before we are out of the starting blocks, we have the first cover-up.

The Premier has been incapable of being straight on this matter. The Opposition asked some questions today because it has some concerns about how the inquiry will be dealt with, and for very good reason. The cover-up started before we got out of the starting blocks, but we should not be surprised if we look at the Tim Anderson inquiry. We know what happened with that inquiry: they shirked, they prevaricated, they tried to hide Dale Baker from scrutiny, and they did everything they could to protect him, and finally they came clean with an inquiry.

What did they tell the Parliament? They said that the inquiry report would be tabled in this place, just as we have been told today about Motorola before the first cover-up. What happened? I will tell the House what happened. Tim Anderson could not even get documents from the Government to conduct an inquiry. He had to get them from the Police Commissioner. After he wrote his report, lo and behold he did what the Government did not want him to do: he found out the truth. What happened? They not only refused to table the inquiry report but also raided his office. They locked him out of it. They took his report and refused to give him a copy of it. Forgive us if we are a little suspicious about the Government's handling of this inquiry.

As I have said, on this matter the Premier and the Government suffer from endemic shiftiness. They simply cannot be straight. What we had last week was the Premier happy to come into this place and announce an inquiry when it was to be conducted by his own lawyer. He was happy to tell us about the inquiry then. The trouble is, we wrote to the Solicitor-General, who apparently was to conduct the inquiry. What did we find? He had not been told anything. He had not been asked to conduct an inquiry; he had no advice or instructions. We received a QC's opinion on an inquiry conducted by their own lawyer, and what did we find? It was exactly as we suspected. It was another attempt by this Government to engage in a shifty cover-up. Secrecy and cover-up are the two bywords of this Government.

We got advice from Tim Anderson QC, who basically said, 'Blind Freddy could see the position of conflict the Solicitor-General would be in and could not conduct an independent inquiry.' That was what triggered the series of negotiations between the member for Chaffey and the Premier. Why is the Premier having this inquiry? Does he want the truth, as he has said? He is having this inquiry because he has to—because the member for Chaffey and the other Independents opposite have decided enough is enough. If he will not come clean, they will support a Privileges Committee, and he cannot have this matter looked at in the open, in the light of day, because it will be found that he has persistently misled this Parliament. Some aspersions were

quite unfairly cast when I raised this issue today on Tim Anderson's advice. Let me close by telling members opposite this: any—

Mr Venning interjecting:

Mr CONLON: You all laughed. Come on, Ivan, you recall it; you all laughed. Any QC in South Australia would have told you. Anyone three months out of law school would have told you, because it is absolutely transparent. Let me say this, and this is the most damning thing for this Premier: not only do we not believe them on Motorola but no member opposite does any more.

Mr VENNING (Schubert): I express my disgust about the decision that was made in the Parliament yesterday. That decision was made by the Hon. Nick Xenophon and, indeed, the Labor Party with the blocking of the proposed sale or lease of ETSA. This is the worst decision of the Parliament for decades. I am absolutely aghast as to the consequences this decision will have on the future of our great State of South Australia. The decision was made yesterday, but where do we go from here? Do members opposite admit and recognise that we have an enormous debt? I believe that many individuals on both sides of the House were horrified with the Hon. Nick Xenophon's decision yesterday. As was highlighted in Question Time today, the member for Hart has privately said that he was hoping that we would be able to negotiate the sale. He did not deny it when pressed. He has never denied it. So that is the account. I believe that many individuals opposite support the sale. But what do members opposite say we should do now?

An honourable member: Carry on as usual.

Mr VENNING: Yes, and continue into debt—go back into debt. What would they do if they were in government? We want to hear advice from members opposite. What advice can they give to us and to the people of South Australia? They sit over there like stunned mullets, make decisions, then let us wear them. I saw their faces yesterday: their jaws dropped as much as our jaws did.

Ms KEY: I rise on a point of order, Mr Speaker. I would expect that calling members on this side 'stunned mullets' was unparliamentary. I would like you to rule on that, Sir.

The SPEAKER: Order! It is an inappropriate term, although I am not too sure that it is unparliamentary. As it does not aid debate, perhaps the member would like to withdraw it.

Mr VENNING: I used the phrase 'like stunned mullets'; however, if it offends the honourable member, I am quite happy to withdraw it. I did not draw a direct reference. I am aghast. They, too, were as shocked as I was with the decision yesterday, and some have spoken to me privately about that. Certainly, I do not know where we go. A cloud still hangs over the State, and they were as shocked with the decision as I was. Individually, I have great respect for members opposite; there are some nice people over there. But collectively, as an Opposition, as an alternative Government, they are a bunch of born losers—absolutely proven losers. The debt we have is theirs, as the previous Government. Nobody disputes that. Where has this debt come from? And it is there, because it is costing us \$2 million a day. It belongs to the previous Labor Government. Nobody denies that; it is an undeniable fact.

They have voted to stop the State from retiring debt. It was in their hands to reverse the decision, but they went along and played politics, leaving it to Mr Xenophon to vote the way he did. They gave us this debt: there is no dispute about that.

They could have helped the Government get out of it, but they did not. They chose to play politics and do nothing. I ask members of the Opposition today, and I will ask them tomorrow, 'What options now face the Government? What are the options for the people of South Australia?' What concerns me most is the glaring absence of any viable policy alternative that Mike Rann, his shadow Ministers or Nick Xenophon can come up with to handle the debt. Do they have the answers? I will tell the House what they will do. They will do absolutely nothing about the debt. They will reintroduce death duties; hike up State taxes and charges, land tax, payroll tax, FID and BAD, which we already have, thanks to them; borrow more money to fund working capital requirements so that everything else looks rosy; and borrow more money to meet the interest. And down we go again—all our work and achievements of the past five years wasted. They will do just as their Federal counterparts did before Mr Howard came to government in Canberra and fixed up the mess.

There is an old adage that you get paralysis from too much analysis. That is exactly what Mr Nick Xenophon is suffering from. That is what he is doing to the State: he is paralysing the State and preventing it from getting to its feet and forging ahead, as we have been doing. Other States are showing us their heels, and they could not believe the decision we have just made. On 30 December this year, the State is to join the national electricity market, when we will be up against the Victorians, who have privatised their power, and we will be in serious trouble.

Ms BREUER (Giles): I would like to know whether the development package offered for the building of the combined cycle gas turbine power station at Pelican Point was also made available for other sites in South Australia, and in particular whether the gas contracts and the retail electricity contract were made available for other potential sites. I want to know whether the Premier is prepared to release all documentation relating to the site selection and the process of the site selection for the proposed power plant. If we are supposedly on a level playing field when it comes to site selection, I want to know whether the Premier made clear to potential power station entrants that a development package equal to that offered in relation to Pelican Point is also available for Whyalla.

In response to my question in Parliament on 29 October on site selection for the proposed combined cycle gas power station, the Premier stated that the Government was not favouring one location over another and that it was a matter of commercial interest to make that decision on site selection. The Premier went on to assure me that, if a company wants to locate a generating facility at Whyalla, it will get the same courtesies, support and encouragement as would apply in any other location in South Australia.

In his response, the Premier gave the distinct impression that the Government was hands off; that the potential developers would determine where to locate. Then on 26 November I attended a public meeting in Port Adelaide. It was organised by the Government, and Mr Geoff Anderson (the consultant hired by the Government to sell the ETSA privatisation plan to the South Australian public) and a senior Treasury official, Vivian Crean, made quite clear that it was the Government, not commercial interests, that had selected Pelican Point, and that it was the Government that was driving the agenda to develop Pelican Point at the expense of regional South Australia.

This Government has the opportunity to show regional South Australia that it has a commitment to those areas. It is the opportunity to provide jobs in the construction phase and ongoing valuable jobs for the future. The siting of the power plant at Whyalla will give the city an opportunity to attract other major developers and industries to the region. I want to know why the Government is so hostile to our claims. The Whyalla City Council, the Economic Development Board, the Chamber of Commerce, BHP and local residents have all been involved in discussions and are completely united in their views—we want this power station.

Mr Foley: We don't.

Ms BREUER: It is an opportunity for us to be born again—and, as the member for Hart says, Port Adelaide does not want the power station. Even the Provincial Cities Association has expressed unanimous support for our claims. The advantages of a Whyalla site make it the superior option for South Australia's next power station: land is readily available at Point Lowly; there is excellent access to deep sea water for cooling; and at Cultana substation (30 kilometres west and adjacent to the City of Whyalla) there is a sophisticated power grid access with significant unused capacity and an existing easement from Point Lowly-Port Bonython. We have skilled labour available from the Spencer region, not just Whyalla but Port Augusta, Port Pirie and Port Lincoln. We have urban infrastructure and we have proximity to major South Australian customers with a contestable energy market.

We have Western Mining at Roxby Downs, BHP at Whyalla, Pasminco at Port Pirie, the proposed Australian steel and energy project at Port Augusta and the proposed magnesium project also at Port Augusta. We have proximity to energy markets to be generated through the Gawler Craton, and gas over the fence from Port Bonython, with a small—almost nil—loss of transmission to major local customers and a marginal loss of 5 per cent to the City of Adelaide—well within manageable limits. It is a critical mass for Spencer Gulf. It will be of immeasurable benefit to the economic and social well-being of our communities.

A power station of this quality is likely to weigh heavily in South Australia's favour when BHP undertakes the next phase of its site's consolidation. There will be enhanced potential to attract new investment to our area, new industry and a reassessment of projects recently lost. I urge the Premier and the Treasurer to support Whyalla.

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

Mr CONDOUS (Colton): I thought I should bring up some of the latest figures on tourism in South Australia. I do not know how many members are aware of the fact that in the past three weeks it has been impossible to obtain a hotel room in any of the four or five star hotels in the City of Adelaide. Many people coming to South Australia on business from interstate have telephoned me and asked, 'Is there any chance of you booking me a room at one of the top hotels in the city?' On inquiry, I have been amazed to find that every hotel is running at 100 per cent occupancy—and that is great for South Australia. It is interesting to note what has happened regarding tourism in South Australia over the past 12 months.

South Australia has been one of those States that have encouraged tourism not only from South-East Asia but also from North America, Europe and the United Kingdom. I am happy to report that our increase in tourism is not purely anecdotal: the latest international visitors' survey results issued by the Bureau of Tourism Research show that South

Australia recorded a 10 per cent increase in the number of international visitors for the 12 months to June 1998. That is the largest increase of any State in Australia. In total, 286 200 international visitors came to South Australia, which was 25 800 more than for the same period last year.

In addition, South Australia recorded a 24 per cent increase in visitor nights, an outstanding result for the South Australian tourism industry. In fact, South Australia's international visitor nights reached 4.3 million during the period, the highest level ever recorded by the State, and our share of Australia's international tourism market increased from 6.7 to 7.4 per cent. I am also pleased to report that nearly all South Australia's key international markets recorded an increase of visitor numbers a night, and of particular interest were the United Kingdom and North America, which all recorded healthy increases, as did Asia—even during the meltdown.

With these statistics in mind, we should also look at what sort of international traveller tends to visit South Australia. They are generally second and third time travellers who are looking for authentic experiences rather than just sightseeing opportunities, and South Australia's tourism product is well suited to attract these high yield travellers. The majority of the State's international visitors come from the United Kingdom, Europe and North America. However, the Asian market, as I have said, has maintained a steady level of growth, despite the crisis. In addition, another profitable area is the backpacker market, involving young people who tend to go back to their countries and talk about what is happening in the particular place they visited. Again, South Australia has been a popular destination with the backpacker market. The latest survey results show an increase in backpacker numbers of around 11 per cent, and the range of experiences on offer in South Australia, including our proximity to the outback and the Northern Territory, make us an extremely popular market with young travellers.

In 1997-98 about 1 200 journalists from countries all over the world visited South Australia, resulting in over \$84 million worth of direct editorial coverage for the State—all this for an outlay of less than \$1 million, which is not a bad return. I simply wanted to address this issue, because I do not think that South Australians generally realise how many people on the street today are visitors to this city both from interstate and overseas. The market is a growing market and the quality of life and the diversities we present, especially in the artistic fields and in other areas of tourism, I believe are a product in which we will see a continual growth in South Australia.

Ms WHITE (Taylor): I bring to the attention of the House an important matter. I, along with my colleague the member for Hanson, the Hon. Carolyn Pickles in another place, and the Minister for Education, have been receiving very strong representations over recent days on a daily basis—and indeed several times a day—from the Women's Studies Resource Centre Collective and its members concerning the very important issue of the continuance of funding and a staffing position for that centre next year. Today, I received an urgent fax and many frantic telephone calls from members and supporters of that centre in the lead-up to today's meeting at 4 p.m.

I will refer to one of the faxes that has come from the Women's Studies Research Centre which explains the proposal that it has put to Minister Buckley, a proposal aimed at solving the staffing situation at no cost to the department.

It seems a reasonable proposal, and I call on the Minister today to respond to this proposal that has been put to his department. The fax I received today from the Women's Studies Resource Centre Collective reads in part:

Denis Ralph, Department of Education, Training and Employment Chief Executive, has written to say that there will be a teacher/librarian placed at WSRC for term 1, 1999 (21 January to 1 April). While this is appreciated, it would be far more efficient if the present Coordinator's were simply extended instead—she has been in the position for four years, is well regarded and highly competent.

Clearly the work of the centre for the coming school term would be better managed by her than a newly placed teacher/librarian, particularly since it is in that first term when many teachers, lecturers and students are initially in contact with the centre in relation to their courses of study for the year. The difference in the salaries of a teacher/librarian (step 12) and the Coordinator (seconded teacher level 2) for term 1, 1999, is only \$1 675.

This amount and more could be saved in the following way: Denis Ralph has guaranteed that the WSRC library technician position will be continued in 1999. The current incumbent's contract ends on 24 December 1998. If the new position were to begin on 18 January 1999—the day WSRC reopens—then there is a saving to the department of at least \$1 916 (library/technician step 1). The new incumbent could be inducted by an experienced Coordinator and the work of the centre continue seamlessly. This decision will cost DETE nothing (in fact, saving a small amount).

The proposal does seem sensible. Currently, the Coordinator's position is under threat and, as I have explained, the centre has come up with a resourcing proposal to the Minister that, if taken up, will actually save the department money and allow the work of the centre to continue in the most effective and efficient manner. It involves not starting the position that DETE will fund until some weeks later but keeping on the experienced skill position of the seconded teacher level 2, that is, the Coordinator who is currently in the role. This is what all the representations that have been put to me and other members have called for, and I ask the Minister to make a decision on this promptly.

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

The Hon. R.B. SUCH (Fisher): I would like to focus on two aspects of education today, the first concerning TAFE. Often people who are misinformed make claims about TAFE in a negative way. I would like to highlight to the House details from the 1997 annual report of the Australian National Training Authority (ANTA) which show that TAFE in South Australia has an excellent record. In fairness, it should be compared with States such as Queensland and Western Australia. If you look at the participation rate, for example—and I will quote some of the statistics: South Australia, 10.7 per cent; Western Australia, 8.2 per cent; and Queensland, 6 per cent.

In module enrolments (referring to part of a course, as members would understand) the competencies achieved are as follows: South Australia, 72.2 per cent; Western Australia, 59.5 per cent; and Queensland, 56.6 per cent. Referring to employers' satisfaction, the details are as follows: South Australia, 84 per cent; Western Australia, 74 per cent; and Queensland 77 per cent, and so it goes on. In terms of cost, whilst TAFE in South Australia is marginally more costly per unit hour, at \$12.80 per hour compared with \$12.40 in Western Australia and \$11.70 in Queensland, it is an outstanding achievement given that in South Australia TAFE services the Pitjantjatjara lands and undertakes heavy engineering programs and things like that which are not carried out in some of the other States.

So, when people, through ignorance, make comments about TAFE, they need to compare apples with apples. I am not saying that TAFE cannot improve. All organisations can improve, and I am sure the Minister would agree with that. If one looked at this analysis, undertaken by an independent body, one would see that TAFE in South Australia stacks up very well indeed. I would urge members of this House to make contact with their local TAFE Institute to ask for a tour and a briefing on what happens there, because members would be favourably impressed if they could see the range of activities and the quality of work being undertaken. If one looks at the programs in comparison with some of the international offerings, what TAFE offers here at certificate level is often equivalent to a diploma overseas. Members should avail themselves of that opportunity and visit their local TAFE Institute.

Recently I had the pleasure of representing the Premier at the opening of a private sector provider, previously called the School of Audio Engineering and now known as SAE Technology College. This is a private organisation, founded by Thomas Misner, who has created 30 of these colleges throughout the world. He started off this great innovative development in Sydney and now has a new college in Adelaide, in Gouger Street, the official opening of which I was fortunate to attend.

He offers training throughout the world and in conjunction with Disney Studios in the United States. He is the sole owner-operator of these colleges, and his turnover is in the order of approximately \$200 million. Not many Australians would realise that this organisation exists, and it exists in Adelaide. It trains people in all aspects of audio engineering and technology, and has the most sophisticated sound recording facilities as well as mobile recording training facilities that one could imagine.

Here in South Australia, we have not only the excellent public TAFE system but also many hundreds of private providers, including the SAE Technology College. The State Manager, Michael Davison, hosted the official opening recently on 28 November, and I would encourage members who are unaware of that facility, if they are interested, to make contact, because I am sure they would be very impressed if they could inspect that state of the art training facility that exists right here in South Australia.

It is another example of how Australians are taking their expertise throughout the world and creating training institutions—privately owned in this case—in 30 different locations around the world. It is a multimillion dollar business, and is very much to the credit of Thomas Misner and his staff.

LEGISLATIVE REVIEW COMMITTEE: ANNUAL REPORT

Mr CONDOUS (Colton): I move:

That the annual report of the committee for the year ended 30 June 1998 be noted.

I do not want to expand on the report, a copy of which I will provide for members. The committee resolved to adopt a new set of principles for the scrutiny of subordinate legislation to enable it to fulfil its responsibilities under the Parliamentary Committees Act 1991 and the Subordinate Legislation Act 1978.

Since the proclamation of the Parliamentary Committees Act 1991, there have been no formal legislative provisions stipulating the terms of reference by which the Legislative Review Committee must examine regulations. The Parliamentary Committees Act repeals section 55(1)(g) of the Constitution Act 1936 which provided the statutory basis for joint Standing Orders under which the previous Joint Committee on Subordinate Legislation was established with its terms of reference.

Given the opportunity to consider a new set of principles, the Legislative Review Committee expanded its number and attempted to provide greater clarity in respect of the committee's operations. The committee considers that the new principles reflect the present issues which are deliberated by the committee and which provide the Executive with a better understanding of the committee's role and function. While the committee has resolved to adopt the principles, it is aware that the Parliament may have a view as to the content of these principles. The committee has written to all Ministers enclosing a copy of the principles and, to date, no responses critical of the principles have been received.

The committee dealt with a few interesting issues which are listed in the report. I refer particularly to the issue of expiation of offences forms which the committee found needed better clarification to assist people who have committed an offence. The form states that a person must work out the date for payment of the fine from the time that the offence was committed. The committee found that that was not good enough and that changes had to be made. We also recommended amendments to the Development Act regulations relating to smoke alarms. Again, I believe that the committee has been innovative in stipulating those changes.

The committee made a decision regarding small passenger vehicles, again after representation from persons involved in the hire car industry. The committee was also concerned with water resources regulations because they were either unclear or ambiguous. All in all, I believe that members will find the report to be comprehensive, clear and easy to understand. I commend the annual report to the Parliament.

Mrs GERAGHTY (Torrens): I certainly encourage members in this place to read the report. The committee has worked very hard over the past year. The honourable member raised the issue of expiation of offences notices with which the committee dealt. These regulations were made on 23 December 1996 and were laid on the table of both Houses in February 1997. The regulations were introduced as part of a legislative package which aimed to provide for a common scheme for all expiation notices and which established a set of rules for the enforcement of these notices.

The regulations provided the operational detail necessary to make the common expiation scheme work and contained the forms and details which are required to be prescribed by the Act. Our South Australian police and local government inspectors issue most of these expiation notices. The committee was concerned because the people who receive these notices have a range of language and literacy skills. The committee believed that the notices should be as clear and explicit as possible. The committee supports the use of expiation notices as opposed to conventional summonses because not only do they save time and cost to the consumer but also, obviously, reduce some of the workload in the magistrates court.

The committee's objections stemmed, in part, from the requirement for those receiving a notice to complete the pay-

by date themselves. In February 1997, after the committee gave preliminary consideration to this issue, the Presiding Member of the committee gave notice in the Legislative Council of a motion to disallow the regulations. As I said, several aspects caused the committee concern, but one particular concern related to part B and the language of some of the forms. The committee identified four aspects of the forms that, in its view, were unacceptable.

First, the committee noted that the wording on one form was misleading and confusing because it implied that there was some relevant limitation on a recipient's applying to the court for community service in lieu of payment, which is not the case. Secondly, the committee noted that the form advised that if the notice was not paid a reminder notice would be sent. The notice did not state that a reminder fee would be applicable. The reminder fee is at least \$30, which represents a significant impost on people in the community. The committee also noted that one form required the recipient to write in the expiation notice number. However, when examining the form it was found that the number was not clearly designated, and this could be confusing to recipients.

The committee wrote to the Attorney-General on these matters and was advised that he accepted the committee's objections and indicated that the problems identified would be rectified in later amendments in the regulations. However, as I said, the committee was mainly concerned with this requirement for recipients to determine the due date for payment themselves. A number of the forms contained a space for the insertion of the due date for payment in association with the statement, 'You must work this date out yourself'.

The issuing officer completes the balance of the information on the form, but it is up to the recipient to work out that date. It was and still remains the view of the committee that the requirement that recipients work out the due date for payment for themselves is not an acceptable form of regulation making. The committee believes that the police and the authorities issuing expiation notices ought to specify the date by which payment must be made. The Attorney-General displayed some misgivings in regard to the issue when he informed the committee of the following:

... both police and the Local Government Authorised Officers Association were vehement and adamant that they did not want to do the calculation and that, if they did the calculation, they would get it wrong on an unspecifiable but significant number of occasions. The obvious answer to this is that members of the public will get it wrong more often, and that argument was made to no effect. This is, therefore, a difficult issue.

The committee agreed that it is a difficult issue but believed that there was a simple way of rectifying the problem. The committee certainly appreciated that it may be taxing for these inspectors issuing the notices to calculate 60 days from the date of an offence. However, we agreed that, if it was difficult for the officers to calculate the 60 days, it would be equally difficult for ordinary members of the public to do likewise. As I said, we must remember that these notices will be served on people from widely differing standards of education and literacy, not to mention people who have an ethnic background and who may not be able to read the notices completely.

It should be noted that the defect does not appear in Form 7, which is adapted for the so-called AutoCite ticket system used by Adelaide City Council and other issuers of a large number of expiation notices. The committee regarded it as unduly offensive to demand of recipients of expiation notices

that they work out the due date for payment themselves and recommended that the offensive language be removed from all forms in which it appears.

Mr Atkinson: The 'offending' language.

Mrs GERAGHTY: The 'offending' language; I thank the member for Spence for his correction. In a later communication to the committee, the Attorney refused to amend the forms to remove the offending language, and stated:

At present, I am inclined to the view that the requirements that the citizen work out the date for him or herself is not too onerous. After all, under the new system, the worst that can happen is that the miscalculation will attract a reminder notice and attendant fee. Equally, however, if a citizen chooses to wait until the last moment to pay that is a calculated decision that required due care to be given to the calculation.

The committee was not persuaded by the Attorney's response and believed that the issuing officer should insert the date. However, in order to progress this matter, the committee was prepared to accept the simple deletion of the words 'you must work this date out yourself' and the deletion of the box in which the date was to be written. The present committee has written to the Attorney advising that it supports the decision of the previous committee and that, if the regulations or similar regulations come before it in future, we will recommend disallowance. As I said, I recommend the report to members of the House. It does make quite interesting reading.

Motion carried.

ECONOMIC AND FINANCE COMMITTEE: ELECTRICITY REFORM

The Hon. G.M. GUNN (Stuart): I move:

That the twenty-sixth report of the committee, on electricity reform in South Australia, be noted.

The electricity industry has undergone significant reform since April 1995 when heads of Government signed off on the National Competition Policy. The reform to the electricity supply industry has been driven with the objective to produce a more flexible, cost effective source of energy for consumers. The principal component of electricity reform is the national electricity market, which will provide a competitive wholesale market for electricity. South Australia anticipates—

Mr Atkinson interjecting:

The Hon. G.M. GUNN: One could well ask why the people of South Australia pay the honourable member. South Australia anticipates joining the national electricity market in December 1998, after the starting date was deferred several times since the commencement of this inquiry. A number of risks are expected to emerge as a consequence of South Australia's participation in the national electricity market. In order to investigate and assess these potential risks and consequential likely benefits, the Economic and Finance Committee of its own motion resolved on 23 February 1998 to undertake an inquiry into electricity reform in South Australia. It was a lengthy inquiry, which took 10 months. In the course of the inquiry, 18 submissions were received and 23 witnesses appeared before the committee.

It should be noted that it was never the committee's intention to directly address the issue of privatisation of the South Australian electricity assets. The committee's preferred intention was to assess the risks associated with South Australia's entry into the national electricity market. Reform to the electricity supply industry and the establishment of the national electricity market will introduce competition in the

supply and purchase of electricity, which is expected to deliver a range of benefits to the people and the Government of South Australia. The committee notes that during 1997-98 the Government has undertaken a significant restructure of ETSA Corporation and Optima Energy in advance of the start of the national electricity market. This restructure involved the formation of three subsidiary companies to perform transmission, distribution and retail functions. Generation assets were transferred to three subsidiaries, and a fourth subsidiary was formed to manage the gas supply.

The committee acknowledges that the Government, through its shareholdings in South Australia's electricity businesses, is exposed to a number of risks through participation in the national electricity market. The committee has recognised that there is a need for the Government to provide a framework for prudential management of these risks. Although it is possible to manage risk to a certain degree, the committee further recognises that in a competitive environment risk cannot be totally eliminated.

In conclusion, I take the opportunity to thank all witnesses, those people who provided submissions and other information, members of the committee and the committee's staff, who have ensured the successful conclusion of this inquiry. The committee believes that this report has fulfilled its objective of essentially being one of information gathering and will assist Parliament in its deliberations with respect to the proposed reform of South Australia's electricity supply industry, and I commend the report to the House.

I hope that all members gain a great deal from studying the committee's deliberations, as I believe that the information contained in the report is overwhelming. Therefore, the House should support the Government's legislation to sell the electricity assets in this State. I commend the report to the member for Spence, because obviously, from the way he has been carrying on, he has little or no knowledge of the difficulties facing the people of South Australia.

Mr McEWEN (Gordon): I thank the committee for the opportunity to be part of the inquiry. I found it very useful and educative, and to that end feel that I am now far better informed about this complex matter than I was at the commencement of the inquiry. I wish in a few brief words to try to separate some of the issues, because melding them all together is the reason why the Government has not been successful at this time in relation to its bland Optima-ETSA sale proposal. The first matter is that the national electricity market is a market, irrespective of public or private ownership, and it is not on its own a reason why South Australia's power assets should be sold. Soon there will be a number of operators in the national electricity market: some will be publicly owned generators and some will be private. They will be operating in the one market.

The second matter we looked at at some length was risk in relation to being a generator. What I believe came out of that was an argument that as a State we ought to give due consideration to disposing of our generating capacity, either in aggregated or in disaggregated form, in this State. There is a reason why we ought to have a look at selling Optima or the new power entities. However, the third matter was the fact that it is a quite separate business to be distributing electricity and retailing electricity. Again, at the retail end, I make the point that I see no reason why the State ought necessarily to be the retailer. A whole lot of opportunities and savings could be passed on to the consumer if the retailer of electricity happened to be a retailer of other forms of energy, perhaps

of water and other commodities, and therefore there could be some saving in terms of billing, etc.

However, the one central issue to my mind is the natural monopoly: the poles and wires business and the distribution of electricity. At the time the study commenced I had a view that had been put to me by my constituents that that was a natural monopoly, a monopoly of which the Government should never lose control. Throughout the whole inquiry I was never persuaded to the alternative view. I still believe that that asset is a strategic asset. It is a natural monopoly and an asset that should remain in public hands. It is an asset yielding a very good return to South Australians and an asset that has community service obligations to the bush, community service obligations that would not be serviced in private hands. Certainly, the recent experience in Victoria with ever-decreasing levels of service and ever-increasing costs of electricity would bear out the argument that as a State we would be foolish to quit that asset.

In conclusion, I think that this report points to the fact that it is a bland generalisation to talk about the Optima-ETSA sale. We ought to be looking at the sale in an aggregated or disaggregated form of the generators in this State. We ought separately to be looking at transmission and at distribution—and I put on the record that I do not support the sale of distribution—and we ought to be looking at retail, which could be handed back to the private sector. With those few comments, I thank the committee for the opportunity to be part of the inquiry.

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: RURAL ROADS

Mr VENNING (Schubert): I move:

That the thirtieth report of the committee, on the South Australian rural road safety strategy, be noted.

The committee was instructed to investigate and report on this strategy, which was prepared by the South Australian Road Safety Consultative Committee. The ERD Committee undertook this inquiry to enable the South Australian community to have further input and additional comment on the recommendations. The inquiry took place over a period of nine months, during which time 24 submissions were received and 12 witnesses appeared before the committee.

The strategy is a South Australian response to national strategies and actions. It provides a broad framework of short-term and long-term actions to be used in planning specific road safety projects. The strategy contains 54 recommendations, and the committee is happy to support most of them. It believes that they will make a significant contribution to road safety. The committee has tabled an example of a road safety audit in the Legislative Council as an addendum to this report, as I believe that it is against the Standing Orders of this place to do so here. The report covers part of a Main North Road audit from Leasingham to Tarlee, which is in my electorate. I highlight this, because one of the main concerns of the committee focuses on the need for more road safety audits to be completed as soon as possible, especially on the national, rural and urban arterial highways. However, the committee believes that a road safety audit should also contain specific criteria that enable the audit process to determine an appropriate speed limit for a road. The committee recommends that Transport SA develop these speed limit criteria. Other concerns surround road standards,

speed limits, mobile random breath testing, seat belts, fatigue and driver training.

The roads network of South Australia is an important asset. Nevertheless, the committee does not believe that adequate funding is being made available to maintain it. The committee believes that the roads network needs significant ongoing funding, particularly for shoulder sealing and edge lining.

The committee is very concerned about the high rural road toll and believes that there needs to be greater emphasis on education as to the reason for this. The committee wants to reiterate the fact (and, as a country member, I can certainly lend credence to this) that the statistics show that the majority of those who are injured or killed on rural roads are rural people. The South Australian road toll is far too high. The largest proportion of accidents occur in country regions and the people involved are rural people. We are all aware of the many furphies going around that most of the accidents in country areas involve city people who are not used to our country roads, but that is not the case. Clearly, the statistics show that country people are involved, and most of the accidents are fairly close to home.

Therefore, it is essential that measures be taken to target this group with education programs and actions to reduce the toll. Education could take the form of public education during high risk travel periods such as Easter, Christmas and special events. The committee is of the view that part of road camera revenue—laser guns, etc.—should be used to finance public education programs as well as rural road improvements.

The committee recommends an investigation into the need for a driving test for drivers who are a danger to themselves or to other road users. The committee also recommends that research be undertaken to develop driving impairment tests, with consideration of on-the-spot tests: in other words, if a person is seen to be driving erratically, they should undergo a test on the spot to ascertain whether they are capable of driving the vehicle. The committee recognises that there are many complex issues involved in ongoing road safety improvements in South Australia. Therefore, it is pleased to note the establishment of a joint select committee to address all issues of transport safety.

I would like to take this opportunity to thank all the people who contributed to this inquiry. I also thank the members of the committee and the staff, who have worked diligently to complete this report. I refer especially to our secretary, Mr Bill Sotiropoulos, and our research officer, Ms Heather Hill. The committee has made 16 recommendations and looks forward to a positive response.

The committee is currently inquiring into the pilchard industry in South Australia and had planned to table its report this week. However, due to uncertainty in the industry and recent events, the committee now intends to hold back the report, gather further evidence and report to the Parliament early next year. I am privileged, indeed, to be the Chairman, and I am pleased that the committee is performing well. There is good cooperation and, generally, members get on very well. It is a good example of the parliamentary committee system working very well. I commend the report to the House.

Mr McEWEN (Gordon): I look forward to reading this report.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr McEWEN: Sir, thank you for your protection from the rabble opposite. Safety is a particularly important issue in rural South Australia, and I want to use this opportunity to tell the House of a very sad set of circumstances recently in Mount Gambier, when three young people lost their lives in a car accident. One of the reasons why they lost their lives was that the car in which they were travelling was not fitted with seat belts, and was not legally required to be fitted with seat belts. I do not know whether or not the report has touched on this matter: I hope that it has.

I believe it is ludicrous that we still register cars in South Australia that are not fitted with seat belts. While it might have made sense to have a provision to that effect for a while during the transition period, I advise the House that I have written to the Minister saying that, if it is the case that cars that are not fitted with seat belts can still be registered, she needs to address that issue as a matter of urgency. We do not want our young people in cars that are not fitted with seat belts. Thank you for your protection, Mr Deputy Speaker, and the opportunity to say those few words to the House.

Motion carried.

PUBLIC WORKS COMMITTEE: PLAYFORD B POWER STATION

Mr LEWIS (Hammond): I move:

That the eighty-fourth report of the committee, on the Playford B Power Station upgrade, be noted.

I point out that the State will be confronted with a power shortage any time soon, and that this upgrade should have been undertaken a good while ago. Notwithstanding that, it was my belief in 1992 that there was a necessity to set about planning increased generating capacity but no-one else shared my assessment of that proposition at the time. We were not in government and nothing was done. We are now to refurbish a worn out structure in a way that will enable it to function with suitable standards for at least the next short period of five years or so. That is my personal opinion.

The power station at Port Augusta is in three parts. Playford A is now just a shell of masonry, and old technology that was there is completely useless and will never be refurbished. Playford B is the one that we are proposing to refurbish, and then there is the Northern Power Station adjacent to it, on which further substantial change and improvement, in the form of repair and maintenance, will have to be made in the next few months. We were told while we were inspecting the site that that window of opportunity would arise during the seasonally low demand period of late March-April next year. By so doing, it will be more reliable. It is in a mid-life crisis, and that is the way it was described.

The proposed upgrade of Playford B at \$5.72 million will include the replacement of most steel parts, plates and wires for the electrostatic precipitators. That is where you charge the atmosphere ionically between positive and negative poles and cause the dust particles to be charged with the opposite polarity, and they are then attracted to the electrodes and settle out in huge boxes, the electrodes being the big plates in those huge boxes which are about half the size of this Chamber. We will also need to replace and repair various elements for Boiler 6 and its auxiliaries. There will be the extension of monitoring and control of the coal conveyors, the trippers and bin level indication to include the Boiler 6 fuel delivery system. There will be overhaul and repair of selected electric motors for that power station, with the supply of minor plant and equipment of various descriptions.

There will be civil repairs to structures in the cooling water intake, in the ash plant, in the Boiler 6 auxiliaries, and the turbine 4 auxiliaries chimney stack. There will be a replacement of turbine vibration monitoring equipment on units 3 and 4, a generator inspection and repair, and pressure vessels testing and repair. That covers the kind of work that is involved.

We visited the site on 16 November and held a special extraordinary meeting in order to get this work through, and I will say something about that a little later on in the course of my remarks. The committee was able to see the train unloading facility where the crushed coal is received from Leigh Creek by rail and subsequently stored in an underground container awaiting transportation via conveyor belt to the relevant power station that will use it. We proceeded to inspect Playford B and members were shown the equipment which requires remedial work or refurbishment, including the coal conveyor belt, the tripper, the ash plant equipment, the electrostatic precipitators, the boilers, particularly Boiler 6, and the flue gas ductwork that I have just mentioned.

It was during that inspection that members had the operation explained to us whereby there is integration and interdependence of the various components of plant and equipment within Power Station B. We were also told of the importance of having this power station fully operational. It will be used during those periods of peak demand when, on the very hottest days of the year, we will be able to stoke it up and get it rolling and enable it to contribute to the base load. I am not talking about peak demand on a recurrent basis during any 24 hour cycle but rather peak demand in consequence of seasonal conditions which it is thought might arise over a number of days during which electricity requirements for South Australia will be at the upper end of total demand.

We looked at the cooling water intake plant, the pumping system and the turbo generators, and we inspected the seawall and the surrounding coffer dam of the pumping system which segregates waste products, noting the area that required upgrading. Without exception we all agreed that it needs to be done. In recent years the various options for increasing the State's power supply capacity have been considered by successive Governments. Notwithstanding that, there is no guarantee that any of those options will be ready to provide additional power soon. The committee acknowledges that, in the meanwhile, this work will need to be done.

The committee understands that the proposed works are necessary to ensure that the operation of the power station continues to comply with the requirements of the environmental licence for the Playford B Power Station and its accompanying exemption relating to particulate emissions. More specifically, undertaking the proposed works will ensure that Playford B is able to continue to operate within the terms of its current legal authorisations in a manner that will continue to have no adverse consequences for the health of the local community at Port Augusta and particularly the people who work there. The electrostatic precipitators are in a very poor state, with the EPA licence conditions restricting the number of starts and operating hours to an unacceptable extent over the next five years, and that is why the work is necessary.

The emissions will be significantly reduced as a consequence of the work on them and the plant will be able to sustain operations in the capacity that is required in the circumstances that I have explained. We all know that the Northern Power Station is the main base load plant generating

electricity for this State and that Playford B will act as this peaking supply that I spoke of. Whilst the Public Works Committee reports to Parliament that it recommends the proposed works, there are aspects of the inquiry which illustrate a case which is causing the committee general concern, which will be the subject of remarks which I will make in due course on behalf of the committee as a report about the way in which the committee's first 12 months of operation in this Parliament has been undertaken.

Those remarks go to the difficulties which we have experienced and which have been exacerbated by the work load of the committee, and I am choosing my words very carefully because I do not want to be seen to be lacking in compassion for the people who have served the committee well. It is not often that we acknowledge such work in this place, but I want to acknowledge the work of the two officers who have worked long and hard with us to keep up with the extraordinary quantity of inquiries which we have made and the reports which we have produced on the public works coming before us. It has had an enormous personal cost to each of them and, in my judgment, quite an unfair one.

It is probably well known that the officer on secondment to us from the Public Service suffered a very serious heart condition and has been unable to work at full strength for quite some months in consequence of the surgery that was necessary, and I thank him very much for the commitment and consideration that he gave to the committee's work, even putting his own life in peril by so doing before he undertook the surgery that was essential to ensure his continued survival in the short term. The other extra load that was picked up by our secretary was also an onerous task for her, one which she has discharged to the committee's great satisfaction with considerable professional capacity.

The committee has then had to deal with these two inquiries—the one about Playford B Power Station as an extraordinary inclusion in our program, along with the Leigh Creek coal unloading bridges. The proposal of the two matters coming together to address the problems of impending short supply, brownouts and blackouts, of electricity in South Australia, meant that the committee got stuck into its work but, immediately upon its becoming known that the committee was examining these matters, people came from all directions mentioning problems that they had with one or other of the aspects of coal mining at Leigh Creek and the effect it was having on their lives and their health and also the other resource that is present, an oil shale deposit. More will be said about that when we come to consider the report on the coal unloading ramp.

It is important for us in this context to note that it was a very serious situation indeed that compelled us to go back to work on Monday and make the effort to visit both those installations and take evidence about them, and it annoys me intensely that, after we put ourselves out as a committee, the information that we sought, politely without being in the least bit gruff and unpleasant about it, has not been provided to this time, even though we need it, in consequence of the commitment given by Flinders Power or its officers to provide that information. I do not think that it is at all edifying to be told by Flinders Power or the Mines Department, or anyone else for that matter, that they are simply not going to comply with the commitments they gave to the committee in disdain of this Parliament and its capacity to require people to come before it and for papers to be presented to it.

If that is to be the case, we are on a fairly steep and slippery slope indeed, and the public interest is not at all well

served by such conduct. For a report to have been produced by one agency and then promised to the committee, only for the committee to then be told by another agency which had nothing to do with the commissioning or preparation of the report that it cannot have that report, strikes me as being quite improper. I am sure that, unless that is rectified in the very near future, it will become the subject of some controversy and pain for a good many people. Having said that, I put in a plea in the general case for some additional resource to help us deal with matters. The last thing I will say on this topic in a general way is that we were told as recently as late Monday that we now have to consider a \$200 million project—

Mr Foley: Which one?

Mr LEWIS: Guess!

Mr Foley: Motorola.

Mr LEWIS: Yes—and the Government agency wants it examined and signed off before Christmas. I cannot believe that, especially in the circumstances of the staff assisting the committee as they arise at this time, with the officer who has been serving us for some time now returning to his post in the Public Service and having no additional support whatever. It just cannot be done. I commend the report to the House, and I wish the refurbishment of the power station and the construction of the new components necessary for its safe operation swift passage so that there are no blackouts and brownouts. On behalf of the committee, I would like to say that we have done our bit; it is time for others to do theirs.

Mr FOLEY (Hart): I also want to speak on the final report of the Public Works Committee on the Playford B Power Station upgrade. I take this opportunity to congratulate the member for Hammond on what is clearly a fine role that he carries out for this Parliament as Chair of the Public Works Committee. The Chairman, the member for Hammond, has brought to this committee and this Parliament a refreshing approach to such an important Government and parliamentary matter as it pertains to the approval process of major public works projects. That is not in any way to diminish the role of my colleagues with me on this side and, indeed, Government members. However, the Chair is providing a degree of independence and preparedness to take on the Government when this Government attempts to abuse the parliamentary process.

I am glad that the Deputy Premier has joined us, because it is useful that he takes on board some of the comments I am about to make. In the past 18 months we have seen this Government attempt to ram through projects such as the Hindmarsh soccer stadium redevelopment project. We have spent \$30 million. We listen to the Premier bleating today about issues involving ETSA, but he did not have any problems finding \$30 million overnight to build a soccer stadium that I understand caters for 20 000 people. There is only one problem: we never get 20 000 people to a game of soccer. But the Government will build it, anyway. It is a bit like the field of dreams: build it and they will come. We will wait and see what happens there.

The member for Hammond was prepared to stand this Government up, to stare it in the eye and say, 'That's not right', and for that I congratulate him. It has happened again and again on other Government issues. Public works projects involving tens of millions of dollars require adequate scrutiny. We at last have a committee and a Chairman prepared to do the right thing. I perhaps wish other Chairmen, such as the Chair of my own committee—indeed, the honourable member currently standing with a dumbfounded

look on his face, the member for Schubert—would also from time to time show similar degrees of independence to ensure that we get proper outcomes as far as public expenditure is concerned.

I am astounded to have just heard the member for Hammond say—and it is a startling revelation to this Chamber today, another one of these 'Let's slip it through when no-one's looking' attempts by this Government—to this Parliament that the Motorola deal will be going to the Public Works Committee. It has to do proper analysis and assessment because, as we know, this \$200 million project will involve a lot of construction work around the country on its communication towers. However, what this sleazy Government wants to do is get it through by Christmas—'Let's have all the scrutiny in the world, but can you get it done by Christmas?!'

Mr SCALZI: I rise on a point of order, Mr Deputy Speaker. I believe the word 'sleazy' is unparliamentary.

The DEPUTY SPEAKER: Order! The member for Hartley has made his point, and the members for Hart and MacKillop will take their seats. The Chair would suggest that the word is unparliamentary. Taking into account the way in which the honourable member has referred to the Government in this way, I believe it is unnecessary to use such words.

Mr FOLEY: This sleazy Government has attempted to—

The DEPUTY SPEAKER: Order! The member for Hart will take his seat.

Mr FOLEY: This sleazy, dirty Government is now—

The DEPUTY SPEAKER: Order! The member for Hart will take his seat.

Mr WILLIAMS: I rise on a point of order, Mr Deputy Speaker. My point of order is on the ground of relevance. There is a restricted amount of time to address these reports, and I believe we have about another 10 minutes to go. I know that there are speakers who wish to address the topic we are discussing here.

The DEPUTY SPEAKER: Order! The point of order is taken in regard to the matter of relevance. I ask the member for Hart, if he continues to speak to the matter before the Chair, not to use the word 'sleazy' further.

Mr FOLEY: Thank you, Sir; your request is noted. This sleazy Government, when it comes to the Playford Power Station—

The DEPUTY SPEAKER: Order! The member for Hart is defying the Chair. The Chair has made perfectly clear that that word is not to be used.

Mr ATKINSON: I rise on a point of order, Mr Deputy Speaker. Could you indicate any precedent, either in the history of the House of Assembly or the history of the House of Commons, by reference to Erskine May, where the word 'sleazy', which has been commonly used by members of the Government—members of your political party, Mr Deputy Speaker—has been ruled unparliamentary previously, because the Opposition will have to consider dissent from your ruling?

The DEPUTY SPEAKER: Order! The Chair has made perfectly clear to the House that it is not appropriate to use the word 'sleazy' in the context that it has been used by the member for Hart.

Mr ATKINSON: I rise on a further point of order, Mr Deputy Speaker. There may be some grounds for ruling that way if it were applied to an individual member of the House. It has been applied to a Government which is external

to the House and includes members who are not members of the House.

The DEPUTY SPEAKER: Order! The member for Hart.

Mr FOLEY: As I have said, the Playford B Power Station upgrade report is a good report, and I commend it to this Chairman. However, I want to make the point that this Chairperson and this committee is being pressured by this Government to rush a quick and nasty cheap process through before Christmas so that that side of the Motorola deal can be swept under the carpet. It is a sleazy, rotten Government that is now wanting—

Mr VENNING: I rise on a point of order, Mr Deputy Speaker. I ask that you rule yet again on the ground of relevance.

The DEPUTY SPEAKER: Order! The Chair has already referred to the matter of relevance and I ask the member for Hart to speak to matters before the House at this stage.

Mr FOLEY: The point I am making is that the Playford B Power Station upgrade report is a very good report—

An honourable member interjecting:

Mr FOLEY: I do not need to smile at a camera, but I will tell the honourable member what I want to do. I do not want the member for Hammond to be persecuted by this sleazy Government because he is doing the right thing—

The DEPUTY SPEAKER: Order!

Mr FOLEY: This Government is rotten to the core and it is now prepared to put the member for Hammond under pressure.

The DEPUTY SPEAKER: Order! The Deputy Premier.

The Hon. R.G. KERIN: Mr Deputy Speaker, I rise on a point of order. The member for Hart continues to defy the Chair. He is putting on a show for the cameras and he is in defiance—

The DEPUTY SPEAKER: Order!

Mr FOLEY: As I said, the Playford B Power Station report is important and the Deputy Premier can get up with his wishy-washy, pathetic attempts to try to hold the Government together, but his Government is splitting, it is haemorrhaging, it is destroying this State and it is unable to govern. This State is being sold down the tube because the Deputy Premier cannot hold his Government together and the member—

The Hon. R.G. KERIN: Mr Deputy Speaker, I rise on a point of order.

The DEPUTY SPEAKER: Order! The member for Hart will resume his seat.

The Hon. R.G. KERIN: My point of order relates to the question of relevance. The member for Hart's comments are totally irrelevant to the debate, and as the member for MacKillop pointed out, it is using up the time that members have to debate these issues.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr FOLEY: I am talking about the Playford B Power Station upgrade report from this committee, and I have a minute to go. I say this: the Premier has tried to escape scrutiny today. He has tried to get out of this State, get over to Melbourne and have dinner with the Prime Minister because he did not want to face any Motorola scrutiny. The Government is now telling the Public Works Committee that it has to get its report down by Christmas. It is a dirty, sleazy, botchy Government and the voters of this State will show what they think of its—

The DEPUTY SPEAKER: Order! The member for Hart will resume his seat.

Ms THOMPSON (Reynell): I will speak but briefly on the matter of the Playford B reference. I endorse the remarks of our Chair, especially those relating to the contribution made by the staff of the committee under extremely difficult circumstances. However, I wish to draw to the attention of the House the very short period that was given to the committee to undertake this important report. It is an indication of insufficient planning and management processes going on within the current Government that it should not realise how important it was to have Playford B upgraded in time, using the proper processes of parliamentary scrutiny until the very last moment.

The committee responded to the request of the Treasurer to deal with this matter promptly. We made an extraordinary amount of time available by travelling to Port Augusta and Leigh Creek on the Monday in order to conduct a site inspection and have worked very solidly on getting this report done in the meantime. At the moment, I do not recall exactly the date on which we were given this reference, but my recollection is that within about four days of receiving it we were travelling on the aircraft to Port Augusta in order to expedite the completion of the report. This is an indication of poor planning within the Government, and I sincerely hope it will not be repeated, because it puts everyone under extraordinary pressure and does no justice to the people of South Australia in terms of the management of their assets.

Another matter that concerns me is the aspect of consultation with the community in relation to the continued life of the Playford B Power Station. That power station has been the cause of considerable anxiety in the community and has given rise to the discomfort which that community has experienced at times. The reason for this is that it is an old plant, the stack is not high and the emissions are not up to the standard that would be required today. The work that is being done will bring the Playford B Power Station up to an as-built standard of operation for the period that it is needed. The as-built standard for the 1950s (when it was built) is a long way away from the as-built standards of today. So, the people of Port Augusta will experience discomfort as a result of the people of Adelaide and other areas enjoying the continuity of electricity supply.

The only consultation that has been undertaken with the people of Port Augusta, which the committee did accept as being barely satisfactory for its purposes, was that in the process of the extension of the Environmental Protection Agency licence for the Playford B Power Station, a notice was put in the paper advising the community of the intention to continue the operation of Playford B.

The DEPUTY SPEAKER: Order! I remind the cameramen of the Standing Orders.

Ms THOMPSON: This is not very active consultation. Most of us do not scan the papers to find out details such as this, and given that the community will be impacted upon, I consider this as a barely adequate method of consultation and urge Flinders Power to improve its consultation with the community in the future, both over the operation of Playford B (as and when required) and on any other work that Flinders Power intends to take on. It needs to improve its track record. If that is its view of consultation, it falls a very long way short of my definition and I will be less inclined to accept that consultation has occurred if it comes to us with any such proposal in the future.

Mr SCALZI (Hartley): I do not wish to speak at length. The need for this power station upgrade has been clearly

outlined, and I support the committee's report. I commend the Chairman and other members of the committee for the work that has been done, and I know that it has been done promptly. I would certainly like to congratulate the Secretary, Lyn Van Der Ploeg, and Mr Silvio Visentin, the research officer, for the work they have done in this short time. I have been on the committee only since 28 October and I have learnt very quickly the importance of this committee, the references with which it has to deal and the work it does, and I am sure that, with the cooperation of all the members of the committee, we will deal with those references in the best interests of the State.

Although I applaud the comments of the member for Hart, recognising the need for the power station upgrade and knowing how important it is to have the facility to generate electricity at peak periods, I am terribly disappointed that he has to turn this need into political point scoring and his behaviour and comments on the report leave much to be desired.

Debate adjourned.

SUMMARY OFFENCES (OFFENSIVE AND OTHER WEAPONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 December. Page 499.)

Mr ATKINSON (Spence): The Bill retains the two knife offences in the Summary Offences Act and adds two more. The Government says the purpose of the Bill is to protect people from serious injury or death by reducing the number of—

Members interjecting:

The SPEAKER: Order! The honourable member for Spence has the call.

Mr ATKINSON:—weapons that do not have a purpose as tools in the kitchen, garden or when fishing. The Bill is aimed at things that have been designed primarily or exclusively for use against people, such as knuckle knives or nunchakus. Although no law and no Government can stamp out the unlawful use of offensive weapons, the Opposition is willing to make this Bill a bipartisan initiative.

The main knife offence we now have is carrying an offensive weapon without a lawful excuse. This is punishable by a maximum fine and imprisonment in Division 7, currently \$2 000 or six months. The other knife offence is manufacturing, selling, distributing, supplying, dealing in or possessing a dangerous article without a lawful excuse. Dangerous articles are defined by regulation to include hunting slings, catapults, pistol cross-bows, blow guns, flick knives, ballistic knives, knuckle knives, daggers, swordsticks, knuckle dusters and self-protecting sprays. This offence is punishable by Division 5 fine and imprisonment, namely \$8 000 and two years.

The Leader of the Opposition, the member for Playford and I have criticised this current scheme because the lawful excuse let-out has prompted some outlandish excuses that have made it harder for the police to do their job. Lawful excuses for carrying knives in a public place have included sharpening a girlfriend's mascara stick. The Leader of the Opposition has been advocating banning knives in licensed premises at night on the ground that alcohol and knives do not mix well. I think this is common sense. Speakers for the Government have characterised the Leader's proposal as 'rabbiting on about knives', or 'just another hysterical performance'.

The member for Playford has been working on a private member's Bill on knives. His principal idea has been to give police increased authority to search, especially in locations with a high incidence of violent crime. In dismissing the Opposition's proposals, the Attorney-General has cited 1997 crime statistics that show that 2.9 per cent of assaults involve a knife, 1.4 per cent of rapes involve knives, and 15.4 per cent of robberies involve knives.

On this basis, the Attorney-General told radio 5DN that South Australia does not have a knife problem. That is little comfort to the eight women who were raped at knife point in South Australia in 1997, or to the thousands of South Australians who are reluctant to enjoy a night out in Hindley Street or to go to certain pubs because of their reasonable apprehension that many of the young men in these venues are concealing knives and will brandish them when drunk or angry. Only an Attorney-General with the lifestyle and comforts of the Hon. K.T. Griffin could belittle the concerns of individual South Australians about criminal justice in the way the Attorney-General does, and be as contemptuous of modest Opposition proposals as he is.

It is a pity the Attorney-General does not do a little more walking in city streets, or bike riding at night, or perhaps travel on a TransAdelaide train of an evening, or perhaps live in a suburb with one of the higher crime rates, or in a home where the best defence against intruders is a screen door. Then he might have some empathy with the concerns of South Australians and the callers and listeners to talkback radio whose conversations he is so fond of deriding. Perhaps he will answer them in a direct way that addresses their fears and their desire for justice instead of snowing them with abstractions and statistics.

South Australia is not in the grip of an electoral bidding war on law and order, as the Attorney-General sometimes claims, and that is for two reasons. The first is obviously that the Attorney-General is not bidding. He has long gone native in his portfolio, relying completely on the advice of public servants and his department. He is near the end of his political career, he owes no-one in the parliamentary Liberal Party any favours, and he can just brush off internal law and order critics such as the member for Stuart. There will be no law and order bids by the Liberal Party while the Hon. K.T. Griffin is Attorney and, if there are, they will be merely rhetorical.

The second reason there is no bidding war or auction is that the Opposition's proposals are so modest, in summary, bringing South Australia into line with the rest of the English speaking world on the drunk's defence, and restoring to householders the right to use such force as they genuinely believe is necessary when defending themselves and their families against a burglar or home invader in their own home. If Government members are wondering about the effects of the changes to the law of self-defence put through Parliament by the Attorney-General last year, they might care to read the *Advertiser* reports of the Nashar murder trial currently before the South Australian Supreme Court.

The Opposition will be supporting the Government's Bill, and I have indicated that from the moment the Attorney announced the Bill. I do not know how he can blame the Opposition for public misunderstanding of the Bill, but he does. He says we are creating misunderstanding by our silence. The Bill maintains the dangerous articles regulations and proposes to add to it nunchakus, kung-fu sticks, throwing knives, star knives and any article that disguises a knife or

blade. A person may offer police a lawful excuse for possession of these things.

Some of these items will, however, be transferred to a second list to be called prohibited weapons, for which there can be no lawful excuse. The only way these items may be possessed is by an exemption to be obtained from the Minister, and this exemption may be conditional. Exemptions may be granted for the purposes of business, employment, for police, for museums and art galleries, for lawful entertainment, lawful recreation and sport, for religious purposes or for an official ceremony.

In addition, exemptions may be granted at the discretion of the Attorney for other classes of people or individuals. I support this scheme because, as the Attorney rightly says, the Government cannot foresee every justification for exemption. Those who try to justify possession of a prohibited weapon on the ground that they are a collector should not be granted exemption on that ground alone. They should be required to show that they are a genuine collector and that nothing in their past would create a reasonable suspicion that the collection would not be safely secured or would be a danger to anyone.

I do not believe that any person genuinely interested in knives in this State has anything to fear from this legislation. The Attorney-General says the distinction between these two categories will be that some have a legitimate purpose, such as a machete, and others are designed for the purpose of attacking people, such as knuckle knives and have, in the words of the Attorney, few or no legitimate social uses. I agree with him.

I also support the Attorney's criteria for distinguishing between dangerous articles and prohibited weapons, namely, whether the item is a tool or a weapon, whether it is easily concealed, whether it conceals a blade and whether it is mentioned in the Commonwealth's Customs (Prohibited Imports) Regulations. I believe that the Attorney-General, on advice from the police and his department, is qualified to judge whether one knife is more dangerous to people than another. I do not think the Bill is an over-reaction to knives as quite possibly the recent firearms legislation was when it did not include provision to legitimise the crimping of the magazines of semiautomatic weapons. I reject any equivalence that is drawn between this Bill and the Bill on firearms: they are quite different topics and different circumstances.

The prohibited weapons offence is the first addition to the law; the second is the possession or use of a dangerous article or prohibited weapon in a manner that is not safe and secure. A lawful excuse will not avail a person in possession if he is not possessing the knife or using the knife in a safe and secure way. The definition of 'carry', which now reads 'to have on or about one's person', is extended to include 'under his or her immediate control'. This would mean that a knife is carried by an alleged offender if it is on the floor of his car or between the front seats of the car. Alas, the Bill continues the Government's folly of converting divisional fines to cash amounts. These conversions will be stopped and the process reversed upon Labor's coming to office. With those remarks, the Opposition supports the second reading of the Bill.

The Hon. M.D. RANN (Leader of the Opposition): In supporting my learned colleague's support of this Bill, I want to make a few points. In April 1994 the front page of the *Advertiser* featured concerns expressed by Hindley Street police about what they called the proliferation of the carrying or wearing of knives in the Hindley Street vicinity. The police

pointed out that they were very concerned not only with the lame excuses being considered by the courts but also the proliferation of the carrying of knives by young people—some as young as nine years—for alleged self-defence reasons.

Of course, these young people were getting away with carrying offensive weapons by using the intent rule, as mentioned by the member for Spence, to say that they were used for legitimate purposes, such as peeling an apple. I raised the issue in Parliament and received substantial derision from the Government. I raised the issue in Estimates Committee. I raised it with a number of Ministers, including the Attorney-General who sneered at the proposition that there was a problem with the enforcement of the rules regarding offensive weapons. Indeed, this problem was also identified by the police, who said that they were being forced to combat this issue with one arm tied behind their back.

We were told, in order to fob us off, that this issue was being dealt with in 1994; that the issue was scheduled to be taken up at the Police or Emergency Services Ministers' Council—the council that includes the Police Ministers of all the States and Territories, as well as those with Federal law enforcement responsibilities. We checked with interstate colleagues and, despite the announcement by this Government and by a Minister of this Government that the issue was being dealt with nationally at that meeting, in fact, it was not dealt with: it was not even scheduled to be on the agenda of that meeting.

So, through 1994 and 1995 we continued to raise the issue of the problems in respect of knives. Those of us who represent electorates such as my own in Ramsay (the area of Salisbury and the Interchange) know of the problems that have occurred in terms of gangs using knives and knife attacks. Repeatedly this Attorney-General said that there was no problem with knives, just as he says there is no problem with home invasions—

Mr Atkinson: Or burglaries.

The Hon. M.D. RANN: Or burglaries. We continued to look at the issue and we devised our own policy. The policy with which we went to the election, as the member for Spence spelt out, sought to ban the carrying or wearing of knives in essentially licensed premises, such as pubs, clubs, nightclubs and discos. In my view and in the Opposition's view there cannot be any reasonable excuse to carry a knife in a disco at night; and we are all aware of knife attacks in the inner city where, of course, the mixture of alcohol and the carrying of knives have been clearly linked.

Again, after each knife attack, we announced what we believed was a reasonable and modest step towards trying to come to grips with this problem. It is not just a perception problem but a real problem. If it were just a perception problem, why has the Government introduced this legislation? Of course, the Government announced the introduction of this legislation following three knife attacks on one weekend in the city of Adelaide. We believe that in New South Wales legislation was introduced this year following various issues raised by the South Australian Opposition. New South Wales has drafted much more comprehensive legislation effectively banning the carrying and wearing of knives in public places.

We considered that option but realised that there were substantial problems with enforcement. We recognise that, if you are an angler at the end of the Semaphore jetty, you might need a knife legitimately. If you work at GMH—as I did for a day or two—at the end of the assembly line and you

are working with tyres, you need a knife in terms of trimming, etc. That is why we decided to focus, in a more narrow way, on the problem of licensed premises—clubs and pubs. We believed that that was something the Government and the Opposition could work on in a legitimately bipartisan way.

However, the problem with this Government is that it will never agree on any legislative initiative—even if it is something it planned itself—if it can be seen as coming from the Opposition. That is what it was really all about. The Government says, ‘Oh, hell, we’ve got a knife problem; we had better say there isn’t one. The Opposition has come up with a good idea but we can’t honestly admit that it is a good idea.’ I witnessed an example of that at the weekend at the opening of the new automotive museum pavilion when there was an acknowledgment of the previous Government’s and Minister’s involvement. Murray Hill acknowledged the involvement of the former Government. I am told that he had to put up with a great deal of aggravation about making sure that the Labor Party’s involvement was not acknowledged. That is another demonstration of the pettiness of this Government. If an idea comes from the Opposition, it is automatically ruled out. Any attempt at bipartisanship by the ALP Opposition in this State is immediately ruled out.

Mr Atkinson: It is over the top or it is fatally flawed.

The Hon. M.D. RANN: It is fatally flawed or over the top—all of these things. Recently, after a series of knife attacks, I went on the Jeremy Cordeaux show on 5DN and endorsed this legislation. I said, ‘Okay, we support this legislation, but we believe that we could go further. We believe that we should go for a ban at night in licensed premises.’ And what happened? The Attorney-General telephoned that station flustered and out of control. I do not think he realised that the person in the studio has control over the microphone and can speak over the top of him, but that is something he might learn with experience.

Again, the Attorney argued against the ‘folly’ of what the Opposition was proposing: God forbid that we would try to protect our children by securing a ban on the carrying and wearing of knives in pubs, clubs and discos. When I challenged him, the Attorney-General said, ‘No, there is not a knife problem in this State’, and that remark followed a series of knife attacks the previous weekend; and we have had a series of rapes involving knife attacks, etc. The Attorney-General had to say there was no knife problem because it was the Opposition that identified the problem. If there was no knife problem, why introduce this legislation and seek our support? The Attorney-General totally contradicts himself.

Did the Attorney announce the legislation because of some perception issue? Is that the Attorney-General of this State, the person who expects to be a Supreme Court judge? After his performance on the Jeremy Cordeaux show I think that the District Court would be the height of his ambitions, or perhaps chief magistrate, if that position is available.

An honourable member: Or a tribunal somewhere.

The Hon. M.D. RANN: A tribunal; that is right. My fundamental issue is this: why, on legitimate law and order issues, can we not sit down and reach agreement and consult with each other about issues such as knives and home invasions? What is it about the Government that it is so insecure about its own position in the community, so insecure about its own prestige and so insecure about its own divisions that one of its Minister’s cannot pick up the telephone, just as we did when we were in Government. As Minister for Aboriginal Affairs, I telephoned the member for Stuart on many occasions.

I telephoned shadow Ministers and said, ‘What do you think about this? Let us work together on this.’ Every piece of legislation that I brought into this Parliament, from land rights to new universities, was established through consultation with both the Opposition and the Democrats; there was give and take, and legislation was passed unanimously. But this Government is too insecure and not big enough to take that step. It is the same flawed logic that prevents it from sometimes acknowledging members of the Opposition, not only in terms of their contribution but in terms of their presence at functions. So, we will support this knife legislation but we appeal to the Attorney-General, so desperate to achieve fame on the bench, to sit down with us over the break and work together, before he takes higher judicial office and before Mr Lawson takes over the Attorney-General’s portfolio, to see whether we can make a genuine contribution to the statutes of this State by bringing in decent, comprehensive legislation to deal with a serious criminal problem in our community.

The Hon. G.M. GUNN (Stuart): I am one of those people who believe that there is no reason whatsoever why anyone should carry knives, particularly those Rambo-style knives, I think they are called, into nightclubs, licensed premises or other places of public entertainment. I cannot think of any genuine reason and am yet to be convinced that there is one.

An honourable member interjecting:

The Hon. G.M. GUNN: I have been a strong advocate of dealing with this problem for a long time, because I do not believe that law-abiding members of the community should be placed in danger by irresponsible people who, in a fit of anger, might produce these things; and we know the results. I was approached on Monday by constituents of mine who collect knives. I want a clear assurance that those people who are law-abiding, going about their legitimate business, are not suddenly confronted by a bureaucratic maze that makes it impossible for them to pursue their hobby. Many of them have been involved in this hobby for many years, have never committed a criminal offence and are never likely to. Some people came to me who were most concerned about that aspect, so I would like that assurance.

Secondly, there are a number of people—and the Leader has referred to fishermen—such as recreational four wheel drivers, who often carry those rather sophisticated pocket knives-cum-pliers with a range of other—

Mr Atkinson: Swiss Army knives.

The Hon. G.M. GUNN: No, they are actually a bit more sophisticated than that: they cost between \$90 and \$100 and have lots of parts, including a little screwdriver, both Phillips head and others, a file and various other things, and normally come in little leather pouches. Service station attendants often have them, and I sincerely hope that they will not suddenly be caught up in an all-encompassing web. I do not think that is what we should be or are talking about. People involved in agriculture, mechanics or other people have a quite legitimate reason for using a knife, but I am firmly of the view that there is absolutely no need for people walking down Hindley Street or Rundle Mall to be carrying large knives.

I am not talking about the little Swiss Army knife things that people have on a key ring: I sincerely hope that people will not be stopped and asked to produce one of those, because I do not think that anyone is talking about those knives. I certainly am not. I need an explanation about that, because we all know what took place during the time of the

firearms legislation. The member for Spence was absolutely correct when he talked about the crimping of magazines. Today I had to face the difficulty of a constituent who needs to purchase a dart gun. He is a deer farmer, and some of the deer have escaped; they are very valuable and he needs to get them back. He cannot do the TAFE course as TAFE is not sitting for three months, so he has a real problem.

We must be very careful that we do not create a huge bureaucratic nonsense that affects law-abiding people with a genuine need. This particular person is concerned that his deer will get onto the road, and he wants to be able to immobilise them to protect the public. Bureaucracy is a wonderful thing, but it can certainly use its best endeavours to make life as difficult as possible for the people towards whom the legislation was not directed. I sincerely hope that the Minister can explain that for those people.

There are people who produce knives. I saw a constituent on Monday who is interested in the American Indian culture and who produces knives and tomahawks purely as a hobby. This person has some physical difficulties and one of the things that he can do is produce these things, and there is some value to him in it. We do not want the police suddenly knocking on his door and saying, 'You are not allowed to have these items in your possession', because the individual in question has never broken the law in his life. He is aware that there are many other elements in the city who have no regard for the law and who smash people's doors in, and so on, but he is certainly not one of those. I bring this to the attention of the Minister in the hope that we can have an assurance that collectors, farmers, pastoralists, mechanics and various other people providing services to the community are not caught in an all-encompassing provision. I do not think that the community at large is concerned about those people, but I believe that there is a genuine concern with elements carrying these things to areas of public entertainment, such as the Test cricket or football.

I cannot understand why anyone would want to carry those sorts of weapons. I understand very clearly that you can do a lot of damage with a broken bottle but, obviously, if someone does that, they are carrying an offensive weapon with the intention of harming someone. In all these things there needs to be a little balance. Unfortunately, in New South Wales I think that a competition has been engaged in as to who can dream up the most draconian measure to inflict on the public. And they have lost some of their balance, in my view, in the public debate that is taking place there.

Mr SNELLING (Playford): This Bill squanders a real opportunity for the Government to properly tackle the proliferation of assaults and robberies involving knives. The answer to how it does this is in the Attorney-General's second reading explanation, where he specifically rejects any extension of police powers to tackle the knife problem. The blanket banning of certain types of knives will affect only honest knife collectors, and such collectors will have to either obtain a special ministerial exemption to continue their hobby or surrender those knives in their collection deemed under the legislation to be prohibited weapons. Persons who own such weapons for less honourable reasons will continue to carry these knives in the full knowledge that their chance of being caught is remote because, under the present law, police simply do not have the power to search, except under fairly exceptional circumstances. Therefore, this Bill will do nothing to prevent assaults with knives. The very best it could

be hoped to achieve is to marginally reduce the carrying of knives deemed to be prohibited weapons.

If the Government is serious about tackling the knife problem, the only answer is to give police additional powers to search persons suspected of carrying a knife in a public place and confiscate that knife if a person does not have a lawful reason for carrying it. Empowering police to search for knives would also give them a preventive role. I am sure that members would agree that it is far preferable for a police officer to intervene and prevent a crime than to make arrests after a serious assault has occurred.

Many assaults occur when a person goes out for the night carrying a concealed knife but not with the intention of committing an assault. Indeed, I am told that many people are doing so because it is perceived that that will enable them to protect themselves. Most altercations in a pub or a nightclub ordinarily end up with just a push and a shove. However, if one or both parties have a knife in their possession, the likelihood of the argument resulting in a serious assault escalates dramatically, particularly if alcohol is involved. If police were to have greater search powers, and if there was an awareness in the community that they had such powers, I am sure that there would be a much lower incidence of people heading out for the night with a knife—or, indeed, any other weapon—in their possession. Half the fight would be won.

Such additional powers have been granted to New South Wales police, who may take into account that a person is in an area with a high incidence of violent crime when determining whether reasonable suspicion exists to give a police officer the power to search. Time will tell as to the effectiveness of the New South Wales legislation. If the evidence reveals that the number of knife assaults and robberies involving knives has decreased in New South Wales, I would hope that the Government would be open minded enough to consider enacting similar legislation here. Given the Attorney-General's recent comments that the New South Wales legislation is 'over the top', I am not very confident that it would receive the consideration it deserved.

In concluding, I reiterate my disappointment in the Government's not having the political will to really tackle the knife problem. This Bill will do little, if anything, to reduce the incidence of knife assaults and robberies.

Mr MEIER (Goyder): I say at the outset that I support the view of most, if not all, other members who have spoken today that there is absolutely no need at all for people—and particularly young people—who are walking down Hindley Street, or any other street where entertainment is perhaps the focus, to be carrying a knife or weapon of any sort at all. I am 100 per cent in favour of doing everything possible to see that such people are prevented from doing so, and I believe that this Bill is a step in the right direction in that area. If I had my way, I would seek to give greater powers to the police so that they could stop people, if they were of the opinion that they may be carrying offensive weapons.

It is my understanding that the police do not necessarily have those powers at present and that they need to have some evidence that a person is carrying a weapon before they are able to stop them. I know that the civil libertarians would probably cry foul and say, 'Outrageous! You are taking away the freedom of people.' I say: what about the people who are being affected by it—the innocent people who are walking through those same streets?

I suppose something which will be debated further, and something which certainly will have to be considered further, is to what extent the powers of the police can be increased compared with the current powers. It is a pity that the former member for Florey is no longer with us, because I believe that the tactics that he and many of his colleagues used back in the 1950s and 1960s were very effective: they were able to stamp things out quick smart. However, these days, because of various laws that apply, it seems that the police have problems in being able to do that.

It is interesting to hear comments that I believe reflect my views from the other side of the Chamber, and maybe the Parliament as a whole will determine in the future that we have to give police more powers generally so that they can stop anyone who they feel may perhaps be transgressing the law. It is a pity that it has to go this way, but if people are irresponsible I believe that we have to do everything possible to protect the innocent citizens in our State.

On 1 December I circulated a Goyder gazette in my electorate, and on the back of it was a series of six questions. I will not go through them all, because only one is relevant. That question is entitled, 'Knives: do you agree with the State Government's proposal to tighten the laws on carrying knives?'

Mr Atkinson: That's a pretty searching question.

Mr MEIER: There was then the question 'Why?' so that people could give me an explanation. I thought that members may be interested in this. We are still receiving many replies but, of the 150 that have come in so far, 119 said, 'Yes, we agree with the State Government's proposal to tighten the laws', and 31 said, 'No, we do not agree.' It is just an indicative figure: 150 people is not a lot but, by the time we have many hundreds of survey results in, I would not be surprised if that rough figure of 80 per cent:20 per cent reflected through. So, I share that with members at this stage.

Mr Atkinson interjecting:

Mr MEIER: I am surprised at the interjections, because to fit six questions on one page, with the option for people to comment on each question, is difficult. I would be happy to show any honourable member those questions if they wanted to see them.

I have been contacted by several people who have been concerned about the proposed changes to the law. In particular, a couple of them have been very much associated with the rural sector, being farmers, and they are concerned that, at present, they wear a knife a lot of the time: if they come into town, they often still have the knife on their belt, and they say—

Mr Atkinson interjecting:

Mr MEIER: It is not a pocket knife: it is a sheath knife on the belt. I hope that full consideration will be given to those people so that they do not have to say, 'Thank goodness I remembered I had the knife on before I hopped out of the ute and went to get some more hardware,' or whatever might be the case. I do not want to see the rural sector penalised in that way, because that is not the sector that we are targeting. These are not the types of people who are causing offences. Generally, it is the people at night time who are causing the trouble.

I also received a letter from the President of the Australian Knifemakers Guild, and I dare say that most, if not all, members would have received a copy of that letter. That gentleman (Mr Peter Bald) certainly had some serious concerns about the legislation. I can understand that because, after all, that is his profession. One of the key factors that I

acknowledge is that he said that, if this legislation with respect to prohibited weapons is enacted, there should be some compensation. He did not put it quite that way: he said that there is no indication of any compensation. I hope that that matter can also be worked out, particularly with respect to a person who would rely on that type of manufacturing undertaking for his livelihood. One of the farmers who contacted me said that he has 30 to 40 knives and, again, he regards them not only as useful on the farm but as a collection. Again, I would hope that due consideration could be given to that.

I would like to thank the Attorney very sincerely for having addressed this issue. It has not been an easy one to determine, because there are so many exceptions to the rule. But I note that there are some areas of concern, such as the classification of bowie knives. One of my constituents said that he uses a knife that he believes would be called a bowie knife. It is a double sided knife, and he needs it for untangling binder twine and other things that are caught. He said that it would be a waste of time to use a single bladed knife and that you need a double blade. He said, 'I certainly hope that they will not be banned.' I note that, in the Attorney's letter to the President of the Australian Knifemakers Guild, he says:

As a result of submissions received from members of the public, the proposed definition and classification of bowie knives will be reconsidered.

I also gain the distinct impression that aspects of the regulations will have to be further considered so that this legislation does not result in a penalty being imposed on the law-abiding citizens of this State. That is something that I certainly want to ensure does not occur.

I believe that this legislation is definitely a step in the right direction. I will be interested to see how it goes over the next two or three years, to give it a fair run, and I hope that it will help to address the problem of people who insist on carrying knives to places of entertainment by prohibiting them from doing so, even though I fully recognise that, at present, most places of entertainment conduct searches anyway and one would be very hard pressed to find an offensive weapon or a knife in such a place. A very interesting and informative fact sheet has been put out by the Attorney entitled 'Law and weapons: what are the Government's proposed new laws?' It contains many questions and answers, but I do not want to take the time of the House to incorporate that into *Hansard* because all members would have access to it. Those members who have had inquiries from constituents would probably have circulated that sheet, anyway.

Mr KOUTSANTONIS (Peake): Having heard the member for Goyder's speech, I am disappointed that he is not Attorney-General, because I am sure that we would see more action if he were. I am probably the only member of this House who has been the victim of a knife attack, apart from former Premier Dean Brown, who was knifed two years ago. When I was driving taxis, on Friday and Saturday night I would go to a lot of the nightclubs in the city to get a fare out of the city. One night a knife was put to my back by a young man who asked me for my money. I responded by giving him my money. He then put the knife to my throat telling me not to call the police before he left.

I picked up that young man from a nightclub where there are metal detection systems and where bouncers or security officers search young people entering the premises regardless of whether or not they have the right to do so. That young man consumed a lot of alcohol at the nightclub and decided

on his way home that he would rob me. That was not the only time that I or a member of my family have been the victim of a knife attack. My father had a small business and on two occasions people holding knives robbed us. The Attorney-General is living in a fool's paradise if he believes that South Australia does not have a crime problem or a knife problem. It is obvious from talking to police officers on the beat what they think of the knife problem and what should be done about it.

If the Government does not take up the Labor Opposition's proposal to ban knives from clubs and licensed premises, it is letting down the people of this State and the people who visit such clubs, because they deserve the reassurance to know that, when they are on licensed premises, other people are not holding concealed weapons. I do not think it is too much to ask the Attorney-General to take that into account in his Bill, but he will not do that because, being a lawyer's lawyer, he could not take away the 'rights' of these criminals to hold their knives. That would not be right.

I concur with a lot of what the member for Goyder said, and with the remarks of the members for Playford and Spence. The Leader of the Opposition has led the debate on this issue and he has been pushing the Government the hardest to make sure that it does the right thing by the community in terms of community safety. The Labor Party released a number of policies during the election campaign and we would have stuck to them and banned knives from clubs and licensed premises. It is a shame that this Government will not do that, but all I can say is that, when the Labor Government wins the next State election, we will introduce those amendments.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I thank all members who have contributed to the debate for their basic support for the legislation. I want to pick up a couple of things, not least of which was the contribution from the Leader of the Opposition, who appeared to indicate that we did not have a bipartisan view to what the Opposition was saying. I can only ask the Leader of the Opposition why he did not listen to us when we were in Opposition and when for years we warned of the dilemmas of the State Bank. The then Minister was famous for extolling the virtues of Tim Marcus Clark.

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: Yes, indeed. Tim Marcus Clark was the victim of a knife attack: he has a very famous scar, so I will bring that point in that way. The Leader of the Opposition made a very famous speech extolling the virtues of Tim Marcus Clark despite the fact that the then Opposition had been saying for ages that there were a number of problems. All I am pointing out is that, in the bearpit of politics, Oppositions and Governments often do not agree.

I take a particular point identified by the Leader of the Opposition that this Government does not acknowledge members of the Opposition at functions, and I am not in favour of that. I always acknowledge every member of Parliament because it is appropriate that, as elected members, that occurs. However, I remember on a number of occasions, when I was first elected as the member for Adelaide, I attended a number of functions at which speeches were made by a then Minister who recently featured very prominently in advertisements for the ALP candidate for the Federal seat of Adelaide and who was notorious for leaving Opposition members out of the acknowledgments.

Members interjecting:

The Hon. M.H. ARMITAGE: I think that she might have been disciplined about her role in the advertisements. I acknowledge that every contribution in this debate has genuinely addressed the fact that prohibited weapons are a real concern in society. The Attorney-General's personal habits and views on this and his lifestyle, which were brought into the debate, have nothing to do with the debate, although that subject is always introduced by the member for Spence. However, I contend that that is irrelevant to the debate.

As I have said, this legislation deals with dangerous weapons, not just knives, and that is a very important point in the measure. The so-called lawful excuse may have been employed by some people in quite peculiar ways in previous opportunities, but in the end the debate about lawful excuse comes down to the common sense of the courts, and I do not believe that that is necessarily an oxymoron. There comes a point at which it is simply not possible to define in advance by statute specific rules or to specify every justification or exemption which may occur, and I acknowledge that the member for Spence identified that and I agree with him.

Indeed, I am grateful to the member for Spence for his general support for the theme of the Bill and I am also grateful for the Opposition's faith in a series of exemptions, because that is what will make the Bill work, for the sorts of cases that have been raised by members on both sides of the Chamber. Some members spoke about collectors, and it is not the aim of the Bill to interfere in that regard. I take a slight issue here with the member for Playford. The genuine collector will not have a problem getting an exemption and need not have any concern about doing so, on the basis that this legislation is for the general good.

In relation to people who need knives for their employment, by way of example a couple of members on this side of the House identified farmers. I note in relation to farmers that proposed section 2(a), to be inserted after subsection (2), provides:

The following persons are exempt persons for the purposes of subsection (1d) in the following circumstances:

(a) a person who has possession of, or uses, a prohibited weapon for the purpose or in the course of conducting his or her business or for the purpose or in the course of his or her employment. . .

Exemptions are factually how this legislation will be made to work practically to come down strongly against those people whom we are all acknowledging it should cover.

I acknowledge the persistence of the Leader of the Opposition on the general subject of knives. In fact, I am informed that this matter was taken up at the Australian Police Ministers Council rather than, as the Leader of the Opposition—I am sure mistakenly—believed, that it was not. In fact, the subject of prohibited weapons with which this legislation deals derives specifically and precisely from the Australian Police Ministers Council. A number of members have referred to the New South Wales legislation and identified that it has substantial problems. That is quite so, and I understand that the New South Wales Government, because of the legislation being quite flawed—and, as some people have said, over the top—has been forced to exempt from the criminal law the sale of plastic knives by fast food outlets. That is clearly a nonsense in this sort of legislation.

I reiterate that the Government is grateful for the general support of the House for the theme of what we are trying to do and, if it protects people in the community, obviously this is good legislation.

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

**SECOND-HAND VEHICLE DEALERS
(COMPENSATION FUND) AMENDMENT BILL
(No. 2)**

Adjourned debate on second reading.
(Continued from 26 November. Page 471.)

The SPEAKER: There is an issue surrounding this Bill on which I wish to comment, that is, its similarity to the Bill of the same name, introduced by the member for Gordon on 5 November. I quote from the Speaker's ruling on 18 September 1975. On a point of order being raised, the Speaker said:

It is quite in order for two Bills that deal with the same matter to be on the Notice Paper at the same time but, once a decision of the House has been taken on one of those Bills, the other Bill is unable to be proceeded with, as it would entail the same matter being twice presented in the same session, and this would be out of order.

I agree with that ruling. The member for Spence.

Mr ATKINSON (Spence): The Opposition supports the principle of the Bill, which is to restrict access to the Second-hand Vehicle Dealers Compensation Fund to customers of licensed dealers or customers of dealers who are not licensed but who reasonably believe the person with whom they are dealing to be licensed. Labor was the first Party in Parliament to advocate this change. We did so on 24 July 1997. At that time I told Parliament:

The second thing we wanted to achieve is to amend the schedule to insert the words 'ostensibly licensed' in front of 'dealers', so that customers of backyarders would not also have access to the fund.

If we had added 'licensed' before 'dealers' we would have run into trouble, as the Treasurer pointed out in the debate, because many licensed dealers lose their licence through breaching the provisions of the Act, yet continue to trade and continue to have their LVD number on their advertisements and displayed at their business. So, a person who wanted to buy a motor vehicle could go to one of these dealers who had just lost his licence owing to breaches of the Act, trade with that dealer and then, when the dealer went belly up, lose his money and not have access to the fund.

The Opposition took the view that in no circumstances the customer should have access to the fund. We wanted to insert the words 'ostensibly licensed' before 'dealer' or 'dealers' when it appeared in the schedule because we wanted the customers of those dealers to have access to the fund.

If a customer were to answer an advertisement in the classified section of the *Advertiser* for a used car and go to a backyard in Ottaway and deal with a backyarder and if that customer subsequently lost his money, we believe he should not have access to the fund, because that dealer was not licensed or ostensibly licensed.

The Government refused to accept our amendments. It refused to accept our retroactive amendment because it believed that it was bad legislative practice. The Opposition accepts that, but we hope to use that amendment to chisel out of the Government a solution to the problem of backyard dealers. The Attorney-General said that he was not willing to legislate on the run: well, I reckon he or his advisers had about 12 hours last night to consider our suggested amendment of simply placing the words 'ostensibly licensed' in front of 'dealer' or 'dealers'.

. . . ultimately, after six or 12 months of thinking about it, that is what the Government will do, but it is something for the future. The Opposition will follow up on this to ensure that the Government fulfils its undertaking to do something about backyard dealers.

Now the Government has acted on this point, but only after the member for Gordon introduced a private member's Bill on 5 November. The Government Bill, which is substantially the same as the member for Gordon's Bill, was introduced on 26 November—hence the 'No. 2' in the title—and prompted the rare response in the House of 23 members voting against granting the Minister for Government Enterprises leave to introduce the Bill. The Minister told the House, 'We couldn't

do it, but we almost did, and would have prevailed had we had the numbers.' I think the last time it was done was by the then member for Mitcham, the Hon. Robin Millhouse.

An honourable member interjecting:

Mr ATKINSON: Only on the casting vote of the Speaker. The House does not appreciate the Minister's gazumping private members' Bills without the consent of the private member. The Motor Trade Association, which is the party most interested in the Bill, has told the member for Gordon that it is well aware of what the Minister for Government Enterprises and the Attorney-General are trying to do and is relaxed about the matters being dealt with early next year, via the member for Gordon's private member's Bill, Bill No. 1.

The reason the Minister gives for introducing this Bill over Bill No. 1 is that these Bills are money Bills, and Standing Order 232 requires a money Bill to be introduced by a Minister. Well, yes, that is what Standing Order 232 provides. What is a money Bill? Standing Order 232 defines a money Bill as:

a Bill which imposes a tax, rate, duty or impost or authorises the borrowing or expenditure of money (including expenditure out of money to be provided subsequently by Parliament).

The Second-hand Motor Vehicle Dealers Compensation Fund is in the nature of a licence fee. It is a fee licensed motor vehicle dealers must pay in addition to their licence fee to remain licensed. This may or may not be within the Standing Order definition. The Minister's interpretation is conjectural. However, section 60(2) of the Constitution Act elucidates the definition of 'Money Bill,' as follows:

For the purposes of this and the next three sections a Bill, or a clause of a Bill, shall not be taken to appropriate revenue or public money, or to deal with taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licences or fees for services under the proposed Act.

I think that clears up the matter very nicely in favour of the member for Gordon and me. I was pleased to read that section of the Constitution Act which resolves the matter. Neither Bill No.1 nor Bill No.2 is a money Bill, I regret to tell the Minister for Government Enterprises. It is true that Bill No.2 adds a few lines to Bill No.1, but these are a fig leaf for the Government's naked theft of the member for Gordon's idea.

I could go through the additions one by one, but I will not do that as I understand that we are about to adjourn and go home—and that is fair enough. The Opposition is happy to support those changes in Bill No.2 by way of addition to Bill No.1. I hope the House will adjourn this Bill to give the Government a lesson about gazumping private members' Bills. I challenge the Minister to move for the suspension of Standing Orders so that Bill No.1 can be brought on right now, and we can then speak to it, add the amendments and have it passed before 6 p.m.

Mr McEWEN secured the adjournment of the debate.

ADELAIDE FESTIVAL CORPORATION BILL

Adjourned debate on second reading.
(Continued from 8 December. Page 530.)

The Hon. M.D. RANN (Leader of the Opposition): Essentially what we are doing is trying to establish the Adelaide Festival Corporation as a statutory authority and to provide for the conduct of the Adelaide Festival of Arts. In supporting the Government's Bill, which is certainly something that is now timely, it is important to reflect on how

the Festival has developed over the years. Of course, the Festival was first incorporated as an association in 1958 to prepare for the first Festival in 1960—the Helpmann festivals and so on. Since 1958, through 40 years, the Festival of Arts in Adelaide is now established as one of the three great world arts festivals, along with Avignon in France and also Edinburgh in Scotland, and remains pre-eminent in that position and has been for some years.

The incorporation of the Festival of Arts as an incorporated association has changed over the years. Initially, it was designed purely as a management body for the box office, but by the time of the Dunstan Government in the late 1960s and early 1970s it had substantially changed into a major international exercise. Indeed, by 1972, there was clearly reason for a change in its incorporation. We also saw the gradual movement, in terms of the management of the Festival, from one of essentially well meaning and, in many cases, expert volunteers, to management by professionals. One of the problems is that the Adelaide Festival, as opposed to the Adelaide Festival Centre, is not a separate legal entity, and indeed that poses problems because, in terms of entering into contracts with performers, other companies, dance companies and symphony orchestras from overseas all the contracts have to be made sort of one removed.

Essentially, it is a contract not between the Festival and performers, artists and so on, but with the Minister of the day. So, quite clearly, there is a need to establish the Adelaide Festival's independence as indeed a corporation or a statutory authority in its own right. This Bill will provide the Festival with its own legislative framework outlining the powers and obligations of the organisation. I am especially pleased to see the clause relating specifically to a clear independence from the Minister and the Government in terms of artistic activity. This has been debated for as long as I have been in South Australia. I think I attended my first Festival in 1978—certainly the Christopher Hunt Festival in 1980—and the debate about whether there was interference by the Government in the artistic direction of the Festival was something that came up from time to time, not by way of accusation but by way of trying to establish clear precedence that that could never be the case.

Certainly, I understand that this was initially a concern of the present board of the Festival, and therefore its wishes have been taken into account with this particular clause within the Bill. Certainly there is no doubt that the concerns of the board of the Adelaide Festival—and indeed almost the entire Adelaide arts community—about the independence of artistic direction were raised following the present Minister's inept handling of the Meryl Tankard Australian Dance Theatre. Which arts body in South Australia would not want its independence clarified after the ADT Meryl Tankard fiasco, which has cost our reputation in the arts both nationally and internationally?

This corporatisation has been successful with other State Government funded arts organisations such as the State Opera and the South Australian Country Arts Trust, in terms of granting them more independence with their day-to-day operations. I am told by my colleague the Hon. Carolyn Pickles in another place that this Bill will absolve the Festival from having all its appointments above ASO2 level approved by the Governor in Executive Council, and that is something that she and we believe is a good move in terms of administrative efficiency. Certainly, over the years, the Adelaide Festival has been innovative, entrepreneurial and also world leading. It has also been a good employer and, on a personal

level, I certainly want to say that I am sure that the Adelaide Festival would not treat its employees in the shabby way in which I know the Adelaide Festival Centre Trust has in recent times.

We are talking about two different entities. The Adelaide Festival Centre Trust, which administers the Festival Centre—the Playhouse, the Festival Theatre, the Space and so on—recently celebrated its twenty-fifth anniversary with a gala concert in which it paid tribute to its employees, but straight after that there were redundancies for many of the people to whom tribute was paid, causing immense bitterness. People felt that they had been conned by the permanent head of that organisation who then failed to thank many people whose positions were essentially outsourced or privatised. They were not thanked for many years of contribution, despite this grand hoo-ha a few weeks previously.

Mr Foley: That is James Porter's mob.

The Hon. M.D. RANN: Yes, that is headed by James Porter, but it was the CEO whose conduct I thought was most shabby in the way in which she dealt with outstanding individuals whose contribution to the development of the arts and of the Adelaide Festival Centre was not acknowledged. The way in which that organisation treated its employees after its twenty-fifth anniversary is something which I believe was truly shameful. However, the Opposition agrees with the reduction in the size of the Festival Board from 12 members to eight, with two of the eight to be selected from three nominations, each from the Friends of the Festival and the Corporation of the City of Adelaide. The Labor Opposition is delighted to support the Bill.

The Hon. DEAN BROWN (Minister for Human Services): On behalf of the Minister in another place, I thank the Leader of the Opposition for his comments and support of this legislation. I think members understand and appreciate the work done by the Adelaide Festival in the past. We want to make sure it continues so that we can maintain our predominance in the area of the arts in this State. I urge the House to support the Bill through the remaining stages.

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

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

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Mr WRIGHT (Lee): I rise to express strong opposition from our side of the House to the recent appointment of Mr Ian McEwen to the position of Chairman of the South Australian Harness Racing Authority. We believe that it is an absolutely appalling decision, and the comments I am about to make are in no way to be interpreted as personal to Mr McEwen but more so to the decision that has been made by Minister Evans in respect of his appointing him to this position. I would like to go through a few of the reasons why we believe that this is a totally regrettable decision. Mr McEwen lives in Victoria and—

Mr Clarke: You're joking!

Mr WRIGHT: I do not joke. He is also Chairman of the Harness Racing Authority in Victoria. This is the first time ever in South Australia that any of the racing codes has had a Chairman of its board who does not live in South Australia. This is a first for South Australia and, to the best of my knowledge, it is probably a first Australia-wide. We in South Australia can win two AFL premierships, we can win the national men's and women's basketball championships, we can win the national netball title, we can run the Australian Golf Open Championship, we can conduct motor car racing events as well as major horse racing and harness racing events, but we cannot find a South Australian to chair our Harness Racing Authority.

We have to go across the border to pluck out someone from Victoria to chair our Harness Racing Authority. Not only do we have to pick out a Victorian who lives in Victoria to do it but also we pick someone who is currently holding the position of Chairman of the Harness Racing Authority of Victoria. This is a totally inappropriate decision. It lacks probity. This is a position of conflict, and I do not believe that we cannot find a suitable South Australian to fulfil the position of Chair of our Harness Racing Authority.

Maybe this is a little bit like the Minister not knowing where the South Australian Thoroughbred Racing Authority (SATRA) is now located. For the Minister's information, if he has not been told in the past 24 to 48 hours, SATRA has shifted to Greenhill Road. I had a briefing not long after becoming the shadow Minister, and the South Australian Thoroughbred Racing Authority was very up front about its proposed move. Just recently, I had the good fortune to bump into Mr Nichols, the Chief Executive of the South Australian Racing Authority, who told me that last weekend they were physically doing the shift.

It came as somewhat of a surprise to me to read in this morning's *Advertiser* that the Minister, earlier this week on TABRadio, admitted to not knowing about that shift. That is somewhat surprising. I wonder whether the Minister is also not aware that Mr McEwen lives in Victoria and is currently the Chair of Harness Racing Victoria. I understand that Mr McEwen is the first person to simultaneously hold the position of Chairman of a racing code in two States. Our major concern is not whether Mr McEwen has the personal skills, experience or expertise to fulfil this requirement but whether there is a conflict of interest.

I am unsure how a person, whoever it might be, can chair two harness racing authorities in two different States. Of course, the problem is made a lot worse by the fact that this person actually resides in Victoria. We feel strongly that a conflict of interest does exist. We can neither see nor appreciate that Mr McEwen will not be put in a conflict of interest position. How can Mr McEwen possibly chair Harness Racing Victoria at the same time as he chairs the board in South Australia? Many issues will be debated over the ensuing months. You, Mr Speaker, as a former Minister in this area, and all members in this place know all too well that the racing codes are going through a difficult period; very sensitive issues are being discussed and many hard decisions—

Mr Clarke: Mr Speaker would never have made this decision.

Mr WRIGHT: No, he would never have made this decision. Many hard decisions need to be made by all the codes in South Australia.

Mr Clarke interjecting:

Mr WRIGHT: Yes, Mr Speaker, you consulted with people in the industry and, in part, that is what this responsibility is all about: consulting with people in the industry; getting the right people into key positions; and making the correct decisions. As we go into the next millennium, how can a person sit on two boards when key decisions must be made within this industry, as well as major decisions about a range of issues, including the rationalisation of tracks, attracting more people to racecourses and the future of the TAB. The issues go on. Surely, at the very least, we want and need a South Australian Chairperson of the Harness Racing Authority in South Australia.

I would have expected that we would appoint someone who resides in South Australia as the Chair of the Harness Racing Authority in South Australia. For the life of me, I cannot imagine that there will not be a conflict of interest. I do not know how this situation will be resolved. Mr McEwen has been put into a position which is simply not sustainable. Irrespective of his skills and abilities, I cannot see how his position will be sustainable. I believe it is a dumb decision to appoint a Victorian to chair South Australia's authority. The decision is even dumber when one considers that that person is the Chair of the Harness Racing Authority in Victoria and, potentially, will be placed in a conflict of interest situation.

This appointment is not sustainable within the South Australian industry. Many people within the trotting industry have already expressed their horror to me about this appointment. They may not come out and say something publicly because, obviously, they need to be able to work with Mr McEwen. They also need to be able to work with the authority and with the Minister. They need to do that for the ongoing goodwill and success of the industry. This decision has not gone down well with the trotting industry in South Australia, and nor should it; nor has the decision gone down well with people interstate.

Key people in other States around Australia—not just people involved in the trotting industry but those involved with other codes—look at South Australia as a State that cannot show confidence in an individual who resides in South Australia to chair its Harness Racing Authority. Can members believe it? We cannot find a South Australian to chair our Harness Racing Authority in South Australia. It amazes me that we go across the border to appoint a Victorian, who is living in Victoria and who is currently the Chairperson of the harness racing industry in Victoria, to also chair the authority in South Australia.

This is a dumb decision. It has no merit whatsoever. It will not and cannot work in practice. The decision has neither the support nor the confidence of the industry. The media this morning correctly highlighted the potential conflict of interest. Mr Speaker, I know full well, taking into account your previous involvement as a Minister in this area, that you would never have made such an appointment. You would never—

Mr Clarke: He should still be the Minister.

Mr WRIGHT: You should still be the Minister. You, Mr Speaker, would never appoint a Victorian who chairs the Harness Racing Authority in Victoria. I am absolutely astounded and appalled that a nomination and appointment of this kind can be made. As I said from the outset, I have nothing personal against Mr McEwen. We wish him well for the sake of the harness industry but we are disappointed with the appointment.

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

Mr MEIER (Goyder): Last Tuesday I had the pleasure of launching the Friends of Yorke Peninsula Palliative Care at Kadina. I say that I had the pleasure because I have been associated with planning committees in relation to palliative care for the Wakefield Regional Health Board for more than two years. Significant progress has been made over that time to address the issue of palliative care and to seek to introduce additional services. Many people still do not know the meaning of 'palliative care'. The dictionary defines the word 'palliate' as alleviating without curing, in other words, making a person's condition more comfortable and satisfactory but in the recognition that the person's condition will not be cured.

It is a fact of life that there is a rapid increase in demand for palliative care as a result of our great advances in medical technology, which is able to keep people alive longer. It can help people avoid heart attacks by means of bypass operations or multi-bypass operations. It is able to keep people alive by providing kidney and other transplants. People now recover from severe accidents. If one went through the whole agenda, people today are living a lot longer as a result of improved medical care and technology.

However, as we all appreciate, the end eventually comes. The truth of the matter is that it is anticipated that the incidence of cancer will increase by approximately 20 per cent in the next 10 years, and will probably increase at a similar rate in the decades thereafter. People may say, 'That is not only a frightening figure but, surely, it should be going the other way: the incidence of cancer should be decreasing as a result of our modern medical science.' The reason for the increase in the incidence of cancer is that people are being kept alive a lot longer. People are avoiding heart attacks and, perhaps, are not dying from the pain of a hip that has worn out.

People can now have hip and knee replacements, as well as kidney transplants. However, so often cancer finally catches up with a person. Cancer has a habit of taking a slow course before finally resulting in a person's death. Therefore, people need the care that is required during those very difficult periods when a person has contracted a disease such as cancer, and that is where palliative care comes to the fore. As I said at the beginning, I was very pleased to be able to launch the Friends of Yorke Peninsula Palliative Care group on Tuesday 1 December. It is a relatively small group but one that is very committed. I would like to compliment Eunice Powell, who has been the key palliative care worker for some time. It is as a result of her efforts, in the main, that this friends group has been formed. The inaugural Chairperson is Etain McNaughton. Etain has had a lot to do with caring for people over time and has a very happy outward disposition, and I think that she will be a great person to lead this group in its inaugural year.

I hope that the whole of Yorke Peninsula will be able to benefit from this, because still too often too many people are unaware that help is available for those who are suffering. Whilst so many people are admitted to a hospital, a nursing home or something similar, a huge number of people want to remain in their homes even if they have a terminal illness. The statistics indicate that the requirement for palliative care between now and the year 2006 will increase by something

like 24 per cent in the Wakefield region. The Wakefield Regional Health Board encompasses all of Yorke Peninsula, extends across to Balaclava, up to Clare, then down through the Kapunda region to the Barossa Valley.

To think that palliative care requirements will increase by 24 per cent in the next eight years is a matter that needs to be given full thought. During that time we will need not only friends groups formed but many more people trained in palliative care. In that respect, I would like to compliment the TAFE educational institution. I believe that it is occurring in more than just one area, but the Spencer Institute of TAFE is now offering specific courses in palliative care and in caring generally. It gives people the opportunity to undertake a course for a short period of time, namely, a few days, through to an extended period for up to six months or so, in order to gain the appropriate certificate in palliative care or in the health care category in which they may be seeking further experience. I hope that people will take the opportunity to avail themselves of some of these TAFE courses if they have an interest in helping others, as it is an area that will continue to grow considerably.

People looking to Governments and saying, 'You have to provide more money' will not be the answer to the problem. Certainly, Governments will need to increase expenditure in the area of palliative care, but they can do only so much. It will still come down to the individuals who are prepared to give of their time and effort to help others and, in the main, they will be volunteers, people who will not be paid for their services. They will be the everyday person in the community who will also work in association with the paid professionals. The paid professionals have a lot of experience, and I guess we will be having many more of them coming through the system in future years. The more people who can express an interest at this time, the better things will be in that area.

So, to the Friends of Yorke Peninsula Palliative Care, I say, first, thank you very much for having officially become an organisation. I trust that it will be one of many organisations throughout the State and throughout many electorates. I am uncertain as to how many similar organisations exist either in country areas or in the city, but I can assure this House that there will be more of this type of organisation in future years. The unfortunate thing, I suppose, is that it is highly likely that a majority of us may well require palliative care services in years to come. To what extent that will occur, only time will tell. Whatever the case, many people are requiring it now, and many positive comments have come back from families, in particular, appreciative of the services that are available, and from so many who have indicated that they had no idea that those sorts of services existed in the first instance.

We should not forget that it is not only during the time of suffering and the time up to a person's death that is of concern but the time after. That may well include counselling of a family after it has lost a loved one, through to helping to make funeral arrangements and the like. I guess that all of us can only improve if we receive additional knowledge and information as it relates to palliative care. As I said, 'palliate' means to alleviate without curing.

Motion carried.

At 6.16 p.m. the House adjourned until Thursday 10 December at 10.30 a.m.