

HOUSE OF ASSEMBLY

Wednesday 31 May 2000

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

PROSTITUTION

A petition signed by 43 residents of South Australia, requesting that the House strengthen the law in relation to prostitution and ban prostitution related advertising, was presented by the Hon. R.L. Brokenshire.

Petition received.

LIBRARY FUNDING

A petition signed by 1 013 residents of South Australia, requesting that the House ensure government funding of public libraries is maintained, was presented by the Hon. R.L. Brokenshire.

Petition received.

COFFIN BAY SHACKS

A petition signed by 579 residents of South Australia, requesting that the House urge the Government to uphold its undertaking to offer all shacks in Coffin Bay freehold status, was presented by Mrs Penfold.

Petition received.

PAPER TABLED

The following paper was laid on the table:

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

Education Act—Regulations—Material and Service Charges.

ABORIGINAL HERITAGE

The Hon. D.C. KOTZ (Minister for Aboriginal Affairs): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: The Aboriginal Heritage Act 1988 provides for the protection and preservation of Aboriginal heritage. Under this act, a central archive, including a register of Aboriginal sites and objects, was established for the protection and preservation of culturally important sites. There are more than 4 800 sites currently recorded. Allegations made yesterday by the Deputy Leader of the Australian Democrats that sites of significance have not been recorded since 1993 and may have been destroyed due to a lack of protection are without foundation. Since 1992, more than 1 200 sites have been reported to the division of State Aboriginal Affairs and all except 46 sites have been entered into the central archive; of the 46 remaining reported sites some do not have any locational data and others are being checked by officers from the division.

In 1998 the government began examining the records kept on the register and discovered major discrepancies in site location due to mapping changes: some sites were incorrectly mapped in the ocean and in other states. As a result, the state government allocated additional funding of some \$300 000 to implement a site conservation strategy where information held on Aboriginal sites listed on the register is being

systematically verified and the conservation needs assessed. One component of this conservation strategy included revisiting approximately 500 sites throughout the state to verify the previously recorded information. All this information has now been incorporated into a newly developed database, which, for the first time ever, will provide quick and detailed information on Aboriginal heritage sites in South Australia.

The Aboriginal register of heritage sites and objects is currently a manual system. Work is now being undertaken to provide access to the newly created database through the internet to provide the community, land managers and developers with fast and easy access to this information. By providing this service, the government is improving site preservation by providing reliable information on the location of each site so that the land managers and developers can avoid damage and disturbances to known Aboriginal heritage places. The government takes seriously its responsibility to ensure that sites of cultural and historical importance to Aboriginal people are preserved for future generations.

The Democrats' deputy leader has put in question the invaluable commitment in time and effort by Aboriginal members of the local and state heritage committees, who, in conjunction with traditional owners, are involved in site identification and verification across South Australia. An apology from the Hon. Sandra Kanck to these committees ought to be made forthwith. I look forward to launching the new and improved Aboriginal heritage site database within the next two months.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the 19th report of the committee and move:

That the report be received and read.

Motion carried.

Mr CONDOUS: I bring up the 20th report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

RADIOACTIVE WASTE

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Why did the state government support the collocation of the medium level nuclear waste storage facility with the low level radioactive repository more than two years ago? In a press release on 18 February 1998 in which he announced that the low level radioactive repository would be built in South Australia, federal resources minister (Warwick Parer) said:

Commonwealth, state and territories agree that the collocation of a repository and an above ground storage facility at a single national site would provide a comprehensive strategy for Australia's small inventory of radioactive waste.

In November 1997, the Commonwealth-State Consultative Committee on Radioactive Waste Management, which included South Australian representation, endorsed collocation as a first option.

The Hon. J.W. OLSEN (Premier): The first thing the Leader of the Opposition ought to acknowledge is that

officers from a range of portfolios that represent South Australia at working party meetings at a national level do so to work through a range of issues.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader has asked his question.

The Hon. J.W. OLSEN: Not every agenda item or basis of discussion at those officer level working party meetings is drawn to my attention. Whether this one was—

The Hon. M.D. Rann: Not important enough?

The Hon. J.W. OLSEN: That is what officers make decisions—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader will contain himself.

Ms Hurley interjecting:

The Hon. J.W. OLSEN: The deputy leader's hapless interjection yet again. In relation to the question, officer level may well have had some of those discussions—I am not aware. I will go back and check up to ascertain whether or not that was drawn to my attention at the time. What the position was two years ago is not relevant. Today the Minister for Environment and Heritage will be introducing a measure to clearly indicate South Australia's position—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order, the leader!

The Hon. J.W. OLSEN: That position is quite clear and specific. I might add that the Minister for Environment has championed this policy direction and I commend him for that. The policy direction clearly is that medium and high level radioactive waste will not be located in South Australia. We acknowledge that federal laws can override state laws, but that we want to send a very clear and specific message to Canberra as to the government's policy.

There can be no clearer indication of the government's policy than the introduction of legislation into the parliament to back it up, and that overrides what any official might or might not have said in the course of discussions at officer level between the respective states and the commonwealth government. What counts is the policy determination incorporated in legislation, and to that extent there can be absolutely no doubt about this government's position and attitude towards medium and high level waste being located in South Australia in a repository.

The Hon. M.D. Rann: You did a deal.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader and the Premier will remain silent.

BUDGET DEFICIT

Mrs PENFOLD (Flinders): Can the Premier outline to the House what the budget deficit would be if the government since 1993 had not sold assets to reduce debt and had not offered targeted voluntary separation packages to reduce the running costs of the public service?

The Hon. J.W. OLSEN (Premier): What we have seen in the interjections to the reply to the first question in question time today is the continuation of that of the member for Mitchell last week, a grubby little exercise to try to cast aspersions over determinations, discussions of officials and the policy direction of the government. It is interesting to see the Leader of the Opposition resort to type today: carping,

whingeing, opposing and knocking every single initiative of the government.

What actually gets in the claw of the Leader of the Opposition is that this government and the Minister for Environment have taken the initiative to introduce legislation to clearly identify the policy of the government, and the point is that members opposite do not like it. They have been gazumped in that regard and they do not like it.

As it relates to debt, the Leader of the Opposition in his budget reply speech last night to the parliament indicated that, in his view, we were to pursue the leasing of ETSA to retire all debt—they were the words. Well, it is convenience once again. What he overlooks is that, when we came into government, not only did we have a \$13 million debt on CFS, not only did we have a \$4.5 billion debt on unfunded superannuation liabilities, not only did we have a \$200 million debt or thereabouts on the WorkCover underfunded scheme, but we also had about a \$9 billion debt, increasing at a rate each year, where the cash deficit in 1993-94 was \$301 million.

That was the starting point, and let not the Labor Party or the Leader of the Opposition try to rewrite history. That was the starting point in terms of management of debt in this state. What has been achieved, through no support from the opposition, is that we have already halved the total state debt. However, we have yet a way to go: we have not finished.

Members interjecting:

The SPEAKER: Order! The member for Elder and the member for Lee are being totally disruptive.

The Hon. J.W. OLSEN: I note that the leader has absented himself from the chamber. Halving the debt when it was heading towards \$9 billion is a very significant achievement. In fact, in one cheque that we banked on 28 January this year, we effectively wiped out what we inherited as part of the State Bank debt. In the course of the next few weeks, we are due to receive the second cheque, in the order of \$330 million, which will also be going to retire debt.

A series of other components of the power utilities will be either sold or leased between now and September this year. The full year's realisation of the advantage of retirement of debt and the savings we can accrue from that in terms of interest otherwise due will be fully evident in next year's budget, when we have a full accounting for the receipts that have been made. Unlike the Labor Party, we will not spend the money in advance of getting the money. We will not put it on a credit card, as has been the wont of the Labor Party in the past.

Last night's budget reply speech was another classic case of the leader being confused. He says that we are not spending enough, and yet we are spending on the basis of a bankcard budget. He cannot have it both ways. All I would ask the Leader of the Opposition is: which one is it? Are we spending too much on credit card, or are we simply putting it away? That was the assertion of the Leader of the Opposition in his speech last night: he put both propositions. He did not have a policy: he merely put both propositions. So, he clearly does not understand and is, therefore, confused.

Let it not be misunderstood: the delay by the Labor Party in the passage of that legislation has cost us some \$500 million. That involves some \$35 million worth of savings on an annual basis. It was Terry Cameron and Trevor Crothers in the other place—members of parliament who were prepared to put principles and this state's interests before party-political allegiances—who had the intestinal

fortitude to stand up and say, 'This is right for our state, and I am prepared to jettison decades of involvement with a political party to do the right thing,' as did Normie Foster with respect to the Roxby Downs bill. Let us not forget that we would not have Olympic Dam-Roxby Downs if it were not for Normie Foster. What did the Labor Party do with him? It kicked him out; it expelled him. We have seen the same thing happen with Mr Cameron. Mr Crothers did not give the Labor Party the opportunity; he resigned before he was thrown out.

But they are two people whom the Labor Party, in the next 10 or 20 years, will welcome back with open arms, when history will record the fact that this action fixed the finances of South Australia and enabled us to give our children a start in this new millennium so that they are not shackled by crippling debt that we have seen in the course of this last decade, in particular, which has curtailed investment. Only now are we getting back on the radar screens for private sector new capital investment. That will be further enhanced by our reducing WorkCover levy premiums of approximately 7.5 per cent for the 50 000 businesses in this state, and that will save them \$25 million in the course of the next financial year. That is prudent financial management; that is getting the foundations right; and, importantly, it is getting right a future for our kids in this state.

RADIOACTIVE WASTE

Mr HILL (Kaurna): Given the Premier's answer to the leader's previous question, did the Premier tell John Howard that the South Australian government was opposed to a medium or high level nuclear waste storage facility being built in this state when he responded to the Prime Minister's letter to him of early 1998; and will he now release this correspondence? The Premier told the House last year that the Prime Minister had written to him in early 1998 pointing out that the commonwealth-state consultative committee on radioactive waste management had supported the collocation of a facility for medium level, long-lived nuclear waste—

The Hon. D.C. Kotz interjecting:

Mr HILL: The minister suddenly has an interest in radioactive waste; very interesting—alongside the low-level radioactive waste repository as a first siting option. On 2 May this year, the Premier told the House that he would go back and look at this correspondence.

The Hon. J.W. OLSEN (Premier): What consultative committees might decide at official levels in negotiation between the states and the commonwealth is for them. What the government decides is government policy. As I indicated in my answer to the Leader of the Opposition, government policy is opposed; and that can be no better demonstrated by the fortitude of introducing legislation to the parliament.

EDUCATION EXPENDITURE

Mr CONDOUS (Colton): Will the Minister for Education and Children's Services advise how much spending in his portfolio will increase as a result of the budget?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): Recently, several reports have quoted Labor as saying—

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

The Hon. M.R. BUCKBY:—that the education budget has been cut for the year 2000-01. Indeed, in the House last

night the Leader of the Opposition attempted to discredit this government. Let us hear what is really happening to the education budget this year. Total spending in this budget will increase—I repeat 'increase'—by \$47 million. For those members on the other side of the chamber who need the benefit of some remedial maths, that is an increase of \$47 million or a nominal 2.84 per cent.

This is in stark contrast to Labor where cuts and Labor are close friends. After eight years this government and this state are still paying for Labor's years of disastrous neglect. But, as we have come to expect from this opposition, which has no less than a deplorable record in terms of money management, we have yet another example of Labor's failure to understand responsible economic management. Labor has never been able to understand how a budget works and even how to interpret its figures. In fact, one could say that Labor considers liabilities to be assets and assets to be liabilities.

However, some things do not change—a leopard does not change its spots. The public of South Australia is still being haunted by the fact that Labor still has no idea about the state's finances, and one would have to say that there is somewhat of a State Bank ring to the whole equation. We all remember when the Leader of the Opposition was the Minister for Employment and youth unemployment reached 47.7 per cent. I certainly would not say that that is a good start for someone who wants to be known as the education premier. But he has gone even further—

An honourable member interjecting:

The Hon. M.R. BUCKBY: Yes, that is right—than this, because he recently announced that he wants to be Minister for the Arts. Along with that, he wants to be the minister for the north, as well as the Premier. Given the chance, this capricious money manager would run the state single-handedly. It reminds me somewhat of one Russ Hinze from Queensland a few years ago. The facts are this: this year the government has again increased the education budget to ensure greater opportunity for students than ever before, by way of a new science and mathematics school, renewal of information technology funding, enterprise education spending of some \$4.5 million, as well as upgraded school facilities. Our capital works project includes: increased size to Roxby Downs school as student numbers are growing apace; increased facilities at Moonta Area School because of occupational health and safety issues that have been there for some time; the purchase of Woodend school to ensure that parents and school students of that community have a school that will cater for the demand there at present; and a \$15 million expansion of Regency TAFE.

A great amount of demand is coming from our young people for the hospitality courses that that institute is delivering. There is also demand from full-fee paying international students who give a multiplier of three to this state's economy when they come in here and spend money attending courses as full-fee paying students. There is also the continuation of the Roma Mitchell education arts centre, a \$30 million project in Light Square that will provide a centre not only for the performing arts but also for the visual arts.

In contrast, I would suggest that Labor's starchy and wishy-washy approach is more relevant to the laundry than our education system. Let us just go back a few years to those members who were here in 1992. I ask members to remember, when they visited their schools, how many schools had blistered paint coming off their guttering? In fact, how many schools had guttering?

The Hon. R.L. Brokenshire interjecting:

The Hon. M.R. BUCKBY: Exactly. The disastrous lack of funding for the refurbishment of our schools was just incredible. This Labor opposition is in no position to allege inadequate funding by this government. It has already shown to the people of this state that it is incapable of delivering anything other than crippling debt. Our education and budget ensures that the strong and positive momentum that education and training has enjoyed under this government since we came to power will continue.

Members interjecting:

The SPEAKER: Order! There are too many audible interjections and conversations across the chamber.

RADIOACTIVE WASTE

Ms HURLEY (Deputy Leader of the Opposition): What action did the Premier take through two of the consultative committees on radioactive waste to oppose the collocation of a long lived, medium level nuclear waste storage facility in South Australia, and when did he, as Premier, tell John Howard he opposed the medium level dump? In 1998, after it was announced that South Australia would house the low level waste repository and it was agreed with the states that collocation of a medium level dump was a first option, a South Australian-commonwealth government consultative committee was formed. The committee included representatives of the Premier's own department, as well as the Departments of Industry and Trade, Primary Industries, Transport, the Environment, and the Health Commission. A further regional consultative committee was also formed which again included the Premier's department, as well as inviting the Liberal Party backbencher, the then member for Eyre, to attend its meetings. The commonwealth says that this very committee that the member for Eyre, now the member for Stuart, was on discussed 'matters associated with a possible collocation of the long-lived, intermediate level radioactive waste store'.

Members interjecting:

The SPEAKER: Order! The leader will remain silent. It is not his question.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the leader for continuing after he has been called to order.

The Hon. J.W. OLSEN (Premier): The deputy leader has given us a regurgitation of the first two questions. If opposition members want to ask 10 questions on the same subject, they will get the same answer. Rephrasing the intent of the question will not mean that they will get a different answer. I have had many discussions with Senator Minchin in relation to this matter and he is very clear about and well understands my position on this matter. Senator Minchin does not agree with my position.

Be that as it may, this government's policy is clear and specific, and I will repeat it for the third time. There can be no clearer indication of a government's position than the legislation it introduces into parliament to demonstrate that policy position. There can be nothing untoward about this: it is clear. The legislation is on the table. We oppose it, and that is exactly what I have told Senator Minchin on a number of occasions.

ELECTRICITY, PRIVATISATION

Mr WILLIAMS (MacKillop): In view of some of the nonsense recently promulgated, will the Premier inform the House of the benefits—

Members interjecting:

The SPEAKER: Order! The honourable member is clearly commenting. I suggest that he rephrase his question.

Mr WILLIAMS: Thank you for your guidance, sir. In light of recent issues, will the Premier inform the House of the benefits to the budget and therefore to the South Australian community of the lease of our electricity assets?

Mr HANNA: I rise on a point of order. Was that question not a repeat of the first government question of the day?

The SPEAKER: Order! There no point of order.

The Hon. J.W. OLSEN (Premier): I was interested to read, in part, the shadow treasurer's response to the budget in—

An honourable member: It was a shocker.

The Hon. J.W. OLSEN: It was a shocker, I agree, and that is where the member's preface to his question was right. It was clearly an accurate summation. Let us trace a little bit of history for those opposite who want to rewrite history as a matter of convenience. I recall members of the Labor Party taking issue with us over the reduction in the size of the public sector in South Australia. Constantly carping, whinging and opposing: that is the opposition. That is the position it put down over six or seven years. Had we not put that policy in place, those 17 000 public servants would be costing us \$550 million a year in salaries.

I will add to that a proposal of not retiring debt, which is what the shadow treasurer has advocated. He suggested that we should not lease or sell our assets for retirement of debt. If the shadow treasurer had had his way and the debt levels continued in the same percentage form as they were at the time the Labor Party left office, we would have another \$7 billion worth of debt on the books today and another \$490 million worth of interest on an annual basis. On those two policy options of the opposition, there would be a salaries bill of \$550 million a year and no reduction in the size of the debt, which would mean that it would continue in the same percentage terms in gross state product as when Labor left office, and there would be another \$490 million in interest on the debt. That amounts to \$1 billion recurrent costs a year.

Let me put that in context. The shadow treasurer is inept in policy and wants to have a bob every way in this policy debate, as does the Leader of the Opposition. They have no consistent, coherent policy direction and no idea of financial management of the budget. When one says spend more, the other says stop spending. They do not have their tune worked out on that side of the House.

The opposition should have a caucus meeting, have a shadow cabinet meeting, and work out what it is in favour of. It cannot have it both ways at the end of the day. The contributions of both the Leader and the shadow Treasurer have demonstrated that they have not learnt a thing; in particular, they have not learnt about the management of the finances of South Australia. They are bereft of economic management and any skill base in an attempt for economic management. In contrast, we have half the debt, reinvestment in services to South Australia such as 113 additional police officers, recruiting against attrition, 27 support—

Members interjecting:

The SPEAKER: Order!

Mr Foley: You still can't balance the budget.

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

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! I do not need assistance from the member for Waite, either.

The Hon. J.W. OLSEN: The member for Hart says that we still cannot balance the budget. I will take, in cash terms, a \$301 million deficit, which was yours, and a surplus of a couple of million dollars in cash terms, which is ours. That is the difference. I will also take \$9 billion worth of debt left by Labor: half the debt under a Liberal government after seven years. We have wiped out the CFS debt and ruled out or eliminated, in effect, the unfunded liability in WorkCover so that we can reduce the premiums for every business operator in this state. That is a \$25 million reduction.

If you want a comparison between Labor policy and our policy direction, have a look at Labor in New South Wales, where the WorkCover unfunded liabilities are well over \$1 billion and growing. What does that mean? It means that businesses in New South Wales will have to pay exorbitant WorkCover premiums in the future. That is okay for this state because we will get a competitive, financial advantage in economic terms for investment in this state. Also, look at Victoria under the Bracks government and the changes foreshadowed in relation to WorkCover. It will have only one result, that is, an increase in WorkCover premiums for businesses in Victoria, in contrast to this year's reduction and foreshadowed reductions on 1 July next year of an additional \$25 million in costs to small and medium businesses.

Having got those finances right, we have started to reinvest in key areas of support and need within the community such as, as I have mentioned, 113 additional police officers, \$7.5 million for mental health, and \$30 million for specific regional initiatives. In other words, if you get the finances right, you can then reinvest in the provision of goods and services and infrastructure for people. That is what we are doing in a carefully managed, coordinated program that will have, at the end of the day, real service delivery for people.

EDUCATION EXPENDITURE

Ms WHITE (Taylor): In the light of the earlier answer by the Minister for Education and Children's Services to a government question, and given the frank admission by the Minister for Human Services that the human services budget has been cut in real terms, will the minister now admit to this House that the education budget has been cut in real terms and that there is no extra money for the education budget? Last week, and again today, the minister told the House that the government would increase spending on education in the budget for 2000-01. While education expenses will increase by \$23 million this year, this represents an increase of just 1.36 per cent, which is less than inflation of 2.8 per cent, and a cut in real terms of \$24 million. Budget paper 4 reveals that there is no new money and that the extra expenses will be covered by running down the education department's cash reserves by \$28 million.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): There are times when the questions from the opposition are just breathtaking in their ineptness, because let me tell members: this lot still cannot read a budget paper. If the honourable member looks at the budget papers, she will see the estimates from last year and for this year and she will see that there is a \$47 million increase. Let

us look at some of the programs that are occurring in this budget because there is good news and there are increases. Let us look at how much Labor spent on information technology when it was in power—a wild \$300 000 in 1993. How much has this government spent—\$85 million, since we have been in power, with DECStech 2001 and this has continued. This year—

Members interjecting:

The SPEAKER: Order! I am sorry to interrupt the minister. I ask members to come to order. Even if they do not want to hear the reply, the chair would like to.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for the second time. If he continues to interject after the chair has brought him to order he will be named.

The Hon. M.R. BUCKBY: This year we will spend a further \$15 million on information technology which allows schools to continue the implementation of computers in schools and continue—

Ms White interjecting:

The SPEAKER: I warn the member for Taylor.

The Hon. M.R. BUCKBY:—our aim of achieving one computer per five students. As I mentioned before, this year we are continuing an enterprise and vocational education program, something that Labor never did. In fact, in 1991 the Labor government closed our last technical education school in this state. It deemed that there did not need to be any trade skills being taught at our schools, whereas this government has reinvigorated that area. For example, Windsor Gardens vocational college is a tremendous success story just after one year of operation. The member for Kaurua wanted me to locate another vocational college at Christies Beach, and that is what we did—and the member for Mawson lobbied me heavily for that as well. That will be another excellent opportunity for our young students in the south. This government is continuing to increase education spending, and when the opposition learns how to read a budget we might get some sensible debate in this House.

HUMAN SERVICES CAPITAL WORKS

Mr SCALZI (Hartley): Will the Minister for Human Services advise the House how South Australians will benefit from the budget's capital works spending in the human services area?

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the leader.

The Hon. M.D. Rann interjecting:

The SPEAKER: It is the second time.

The Hon. DEAN BROWN: For the last six years this government has set about spending a considerable amount of money on rebuilding and redeveloping the hospitals of this state. Over that six year period we have spent over \$500 million on: first, new hospitals at places such as Mount Gambier and Port Augusta; secondly, major redevelopments such as stage 1 of the Royal Adelaide Hospital, the repatriation hospital and some of the others; thirdly, the development of new specialist facilities such as the emergency section at the Lyell McEwin Hospital and what we are doing at the Noarlunga Hospital; and, fourthly, the redevelopment particularly of equipment and the purchase of new equipment as we have done at Flinders, Royal Adelaide Hospital and Queen Elizabeth Hospital.

In the coming budget, we are continuing that commitment. Let me outline just some of the projects that will be covered

in the next year. First, there will be the ongoing redevelopment of the repatriation hospital providing a world-class rehabilitation facility. Having already developed the new day centre and redeveloped the theatres at the hospital, we are now redoing all the wards, as well as establishing a specialist rehabilitation facility there. At the Noarlunga Hospital, we are putting in a substantial new emergency department which will help take the pressure away from the Flinders Medical Centre.

At the Flinders Medical Centre we are installing a critical care unit so that more people will be able to be treated at the high dependency level. A very substantial redevelopment is going ahead at the Modbury Hospital. The redevelopment of the South Coast Hospital at Victor Harbor—

Ms Stevens interjecting:

The SPEAKER: The member for Elizabeth will remain silent.

The Hon. DEAN BROWN: —will be completed in the new financial year. We are undertaking aged care facilities for the IDSC for aged people with significant disabilities, and in the country we are undertaking aged care facilities particularly in the Wakefield area, which is in the Mid North, and also in the South-East of the state.

We are also carrying out works for the Aboriginal Health Services. That is in addition to the three major projects that I have already mentioned, namely, stage 2 of the Royal Adelaide Hospital; the design of the new 200 bed facility at the Queen Elizabeth Hospital and the associated demolition work, which will start in the next couple of months; and also the ongoing design work for the Lyell McEwin Hospital. Those are the proposals in the health area.

In the public housing area, this year we will spend about \$74 million. As part of that, there will be redevelopment or upgrades of 990 homes as well as the construction of 163 new homes. This government has made a huge commitment to redevelopment of Housing Trust areas over the last six years. I will not go through all the projects, but we know some of those—the Parks Community Centre, Mitchell Park, Hillcrest, Port Pirie, Port Lincoln and Port Augusta to name just some of them.

The final issue is how we invest in information management systems within the whole of the health care system. We are rolling out now Oasis, which is the computerised patient information system to be installed in all major public hospitals in Adelaide. We are the leader in Australia in terms of the adoption of a computerised patient information system. We have tried it now for three and a half years. It has worked very effectively, particularly in the renal unit at the Queen Elizabeth Hospital. We are spending \$11 million in this coming year to start the roll-out of Oasis across the rest of the hospital system. It will take about six years to complete. It is a major project, but out of it comes a very substantial lift in patient care. So, this coming year we are continuing the theme that we have embraced for the last six years, which is to invest money in new or redeveloped hospital facilities so that we are able to provide a very high standard of health care.

IMPORTED CARS

The Hon. M.D. RANN (Leader of the Opposition): As the Premier of a car manufacturing state, what action has the Premier taken to seek to reverse the decision of his federal colleague Senator Nick Minchin to open up the market to allow senior federal public servants, as part of their salary

packages, to lease or buy a full range of imported cars instead of the previous requirement that they bought only Australian manufactured cars?

The Hon. G.A. Ingerson interjecting:

The Hon. M.D. RANN: You have an imported luxury car.

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

The Hon. M.D. RANN: Senator Minchin is quoted in today's media as saying that he believed this new policy would not affect or harm South Australia's car industry and that it was a 'human right' that public servants should be allowed to choose the car they drove. Luxury imported cars apparently are a human right for the Liberals.

Members interjecting:

The Hon. J.W. OLSEN (Premier): As one of my colleagues interjected: this is old news. This issue has been around for a couple of days, and the federal minister responded to the matter last night. I have placed a call to Senator Minchin—

The Hon. M.D. Rann: Has he taken it yet?

The Hon. J.W. OLSEN: No, I have not been able to speak to him, because Senator—

Members interjecting:

The Hon. J.W. OLSEN: No—Senator Minchin, as I am advised, is appearing before estimates committees, which is somewhat constraining his ability to reply to my telephone call today. However, I anticipate speaking to him later today during the dinner adjournment, as I have been advised by my office in Canberra.

Mr Hill interjecting:

The Hon. J.W. OLSEN: The interjection from the member for Kaurana puts the lie to the questions members opposite asked me earlier. The member for Kaurana asked, 'Is he still talking to you?' That would have to be on the basis that our policy on a medium and high level radioactive waste repository has not impressed him—and I can assure the member that it has not. But the member's interjection clearly demonstrates the position that we have put down, and Senator Minchin publicly has acknowledged his disappointment in the policy thrust which we have adopted and which is now to be encapsulated in the legislation.

With respect to the motor vehicle issue, I will be having a discussion with Senator Minchin later today, all being well, and I will discuss that and several other issues with him.

SCIENCE AND MATHEMATICS SCHOOL

The Hon. R.B. SUCH (Fisher): Can the Minister for Education and Children's Services provide details of the new science and mathematics school to be established at Flinders University?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I thank the member for his question—
Mr Clarke interjecting:

The SPEAKER: Order! The minister does not need help from the member for Ross Smith.

The Hon. M.R. BUCKBY: That is quite right. The member for Ross Smith is the one who needs all the help, sir. Members of the House are aware of this state's outstanding record in science and technology: we have only to look at our achievements and people such as Florey, Mawson, Thomas, Oliphant and Davies, just to name a few. But our future demands new sciences, and the new sciences will become the source of new age technology and will provide work and

entrepreneurial opportunities for the people of this state in this decade and beyond.

South Australia needs to build on more than just films and festivals. Unlike the Labor Party, this government is committed to innovation, science and technology and to attracting industry in this state in key areas of technology. This budget announces a \$10.8 million Australian Science and Mathematics School at Flinders University, a symbol of this state's innovation. In fact, we have allocated \$2.1 million this year to commence construction of this school in July. The project is anticipated for completion in late 2002.

We are also committed to providing high quality teaching and learning to ensure that a pool of South Australian scientific talent is available to support the development of these new age science-based industries. This facility will become the focus of teaching science in this state—a national focal point, in fact—and will lift the state's research and development capabilities in this area.

I have no doubt that a school of this calibre will encourage more secondary students to seek careers in sciences in South Australia. The school will give students the chance to pursue multiple education and training pathways to university and to TAFE. The curriculum will cover a wide range of cutting edge disciplines such as aquaculture, information technology, software engineering, nanotechnology, laser science and biotechnology. However, as usual, the teachers union says that such an innovative facility is no more than a diversion from local issues. I ask the opposition and the teachers union: what is more important than our youth gaining strategic career opportunities in key areas?

Teachers, though, are also set to benefit because it will be a centre for professional development. The school will give teachers greater exposure to these new technologies, while also establishing teacher support networks and satellite science and mathematics schools. This ensures that this school will have a national impact. It is anticipated that 150 students will benefit from the advantages offered by the school in the first year, increasing to 450 at the end of year three. Of that number, 150 will be full-fee paying international students. Of course, the very likelihood then is that they will continue on with their education in South Australia at either a TAFE institute or a South Australian university.

The Australian Science and Mathematics School demonstrates the government's commitment to innovation, science and technology and to attracting these industries to South Australia. This groundbreaking initiative is long overdue for our country's young people.

EMERGENCY SERVICES LEVY

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Did the government conduct taxpayer-funded opinion polls or market research on the emergency services tax, prior to its decision to cut the tax, to determine just how unpopular it was; how much did it cost; and will the Premier now release the research paid for by the taxpayer? The opposition understands that market research on the tax was conducted at taxpayers' expense prior to the recent changes being made. It is understood that the research showed that only 18 per cent of South Australians were aware that they paid the previous fire insurance levies, despite Minister Brokenshire's advertising campaign. However, a massive proportion of South Australians knew that they were paying the government's emergency services tax and it was unpopular.

The SPEAKER: Order! Before calling the Premier, I remind the leader of the practice of the House of an honourable member's seeking the leave of the House to explain a question. As the honourable member is the leader I did not interrupt his train of thought on that occasion; in future I will.

The Hon. J.W. OLSEN (Premier): There was that undertaking and, yes, I would be happy to release the results to the leader.

SPORTS FUNDING

The Hon. G.A. INGERSON (Bragg): Will the Minister for Recreation, Sport and Racing inform the House of the extra funding in the budget that will assist—

Mr Foley interjecting:

The Hon. G.A. INGERSON: Come on, Kevin, just give someone else in the place an opportunity to speak.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I ask the House to settle down.

The Hon. G.A. INGERSON: Port is not going too well, but behave yourself.

The SPEAKER: Order! It does not assist matters when the person asking the question makes continual interjections.

The Hon. G.A. INGERSON: Will the minister inform the House how extra funding in the budget will assist community-based sporting and recreation organisations?

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the member for Bragg for his question; I know that he has a personal interest in local community sporting organisations as well as elite sporting organisations through his son's performances with the Melbourne Football Club. Members will be pleased to know that this year's budget increases funding to local community sporting organisations by approximately \$2 million. I am sure members will welcome that. Certainly one of the more successful programs run by the Office of Recreation and Sport is the Active Club Program, which is \$940 000 a year or \$20 000 per electorate.

That money is distributed to the local community sporting organisations in two instalments per year. We are pleased to be doubling that amount this year, which means an allocation of \$40 000 per electorate. I am sure that all members of all party persuasions in the House will be pleased to have the opportunity to present twice the amount of money that they have in the past. I am certainly pleased to announce that funding because it is important that we continue to focus on increasing participation at the local community level. I know that generally in 2000 Australia's sporting communities will be focused on the Sydney Olympics, but I do not think we should lose sight of the fact that every elite athlete started at the local level. We therefore need to continue to inject money into the local level, so to double the amount of money in the active club area is, I believe, the right move.

Also, an extra \$1 million will be going into recreation and sporting facilities. All members would be aware of the regional recreation scheme that has dealt specifically with regional recreation facilities. We will now put in an extra \$1 million on top of that scheme into other community recreation facilities, again as a way of trying to gain more participation at the local level in various recreation and community sports activities. It is an extra \$2 million to the local community recreation and sport organisations. I know the Minister for Human Services will be pleased with that,

because everyone participating in recreation and sport ultimately improves their health and fitness, and that can only be a good thing for society long term.

EDUCATION EXPENDITURE

Ms WHITE (Taylor): Does the Minister for Education and Children's Services stand by his statement to this House, in answer to my earlier question, when he claimed that this his budget this year was increased by \$47 million, or was he actually confusing this amount with the cut of \$47 million to his budget from Treasury—a reduction he has already publicly admitted to?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): The honourable member just continues to show that she has not even read the budget papers. She has obviously just listened to the Leader of the Opposition's speech, without looking at the columns and understanding the budget. We have increased education spending by \$47 million. I refer the honourable member to the budget papers.

MINERAL EXPLORATION

Mr VENNING (Schubert): Will the Minister for Minerals and Energy inform the House of the government's plans to boost resources to the South Australian minerals industry?

The Hon. W.A. MATTHEW (Minister for Minerals and Energy): Members in this House know full well that the member for Schubert is a strong advocate of the minerals industry in this parliament. The results of government endeavours are, indeed, something for which he has fought for a long time. The member for Peake, who interjected as the honourable member was on his feet asking the question, may do well to listen to the answer, and his constituents, too, may benefit from the result. The mineral sector in our state has faced a number of difficulties which are well recognised by this government. We were faced with an alternative. We could take the Labor party approach—the do-nothing approach—and sit back and wait and see what happens, or we could identify the problems and propose and implement a resolution to those problems. Understandably, it is the latter course of action that this government sought to implement.

The industry has put to government that it faces a number of problems—principal amongst those is access to land, particularly certainty and security in process and title. Also, it has identified the importance of geo-scientific data, expertise and relevant information being made available to the industry to encourage the industry to explore and also, in the end, to go into production. It has also stressed the importance of promoting the state's high productivity potential in minerals and in oil, and has encouraged the state to promote that potential, particularly potential overseas investors. It has also stressed the need for a single window to government to expedite the processes that are necessary to get exploration and production licences in place.

Recognising the need of the industry, last year the Premier established a resources task force. Prominent on that task force were well recognised and respected people in the industry who had the background and experience to provide the government with quality information. That quality information was provided to government through a very publicly released report that was launched by the Premier in December last year. Over recent months, the government has

been finalising a response to that report, and that response will be publicly released within the next 21 days. A number of issues of concern were identified through that process, not the least of which is the fact that the exploration dollars being expended on the mineral sector are inadequate. From a relative high of \$52.8 in 1997, the 1999 expenditure figures will be in the vicinity of \$30 million. That is certainly not going in the right direction, principally because of those areas of concern mostly involving access to land which I detailed earlier. The government has set a target of \$100 million expenditure in the minerals sector alone in the year 2007.

To help expedite that, the government saw that it was necessary to take a number of steps. The task force indicated the nature of the dividends if steps were taken, and it highlighted the fact that there is the potential to produce the value of \$3 billion per year in minerals and a further \$1 billion in processed output—a massive \$4 billion in value through our economy compared with the \$1.9 billion in the year 2000 on present trends.

The task force backed up its statements, findings and beliefs with the very good work that was undertaken by the South Australian Centre for Economic Studies, which indicated that, over the next 20 years, there is a potential to add \$28 billion to the state's economy, which is 9 per cent of current annual state economic output in the year 2000, and to have the sector employing 40 000 people, which is an additional 5 600 people and, importantly from a state revenue perspective, returning an additional \$48 million in mining royalties and \$24 million over the time in payroll tax.

Those things cannot occur without action being taken. For the benefit of the member for Ross Smith, the self-announced candidate for Enfield, to put those things into place, the government has taken a number of actions. The first was the formation of a now-dedicated ministerial portfolio; the second was the appointment of an Executive Director for minerals and energy resources, and that appointment was announced a few weeks ago; and, importantly through the budget process, as was announced when the budget was handed down, an additional \$2.2 million towards the minerals and petroleum sectors to assist the findings of the task force. That \$2.2 million is a significant funding contribution by this government.

Members interjecting:

The Hon. W.A. MATTHEW: Does the member for Peake have a point that he would like to make? Perhaps he would like to avail himself of a grievance—

The SPEAKER: Order! The minister will ignore the member for Peake.

The Hon. W.A. MATTHEW: I thank you, Mr Speaker, for your direction and I will at all times ignore the member for Peake. It is a significant funding contribution and it demonstrates the resolve of the government to work with business, the community and with the electors of the member for Peake, even if he will not, to ensure that we develop a proper management process for the minerals and petroleum industry sectors in this state and to deliver that which the industry is demanding, namely, a responsible government that focuses on providing the industry with quality information and a one-window-to-government opportunity.

Part of that quality information will be electronically available through the worldwide web to the minerals sector, not only in South Australia and Australia but internationally as we make available the geoscientific data that the government is collecting. It is valuable data that will encourage exploration and productive mining operations. That informa-

tion has not been obtainable simply because it has been sitting on shelves and in cabinets within the department. We will make quality information available utilising the most modern methods. I encourage all members of parliament to actively help the government promote the exciting opportunities that lie ahead.

Members interjecting:

The Hon. W.A. MATTHEW: As does the member for Schubert, indeed, and as do all members on this side of the chamber within their own constituencies. They are encouraging the industry to become more dynamic and more vibrant. I am sure that the candidate for Enfield will be happy to promote it in his electorate.

GRIEVANCE DEBATE

Mr WRIGHT (Lee): The opposition has been advised that the government has finally made a commitment to the SAJC for its share of the Victoria Park upgrade. I remind members that this saga has been going on for some five years and finally the government has agreed to its share. It will join the South Australian Jockey Club and the Adelaide City Council—

The SPEAKER: Order! Members must realise that the member for Lee has the call. I ask members to either leave the chamber or sit down and be silent.

Mr WRIGHT: It will join the SAJC and the Adelaide City Council in making a financial contribution to the upgrade of Victoria Park. Advice given to me is that the Premier has advised the Chairman of the South Australian Jockey Club, Mr John Murphy, that the money has been found. We must look at this in the context of what this does to the overall racing industry, particularly with the debate that has been going on for some time with respect to the potential sale of Cheltenham. This consolidates the agenda of certain SAJC committee members who cannot wait to sell Cheltenham. There is a hidden plan to sell Cheltenham and the government, despite its denials, knows that certain SAJC members are positioning themselves to sell Cheltenham.

The Hon. G.A. Ingerson interjecting:

Mr WRIGHT: The member for Bragg talks about SATRA: well, may be SATRA people are there as well. There is also conflicting advice about the SAJC membership giving its imprimatur. At a special meeting of SAJC members held in early April, Matt Benson, the Chief Executive Officer of the SAJC, in an answer to David Peacock about whether the minister had indicated that legislation with respect to corporatisation did not allow the assets to be sold, Matt Benson said, 'That is not the position. We have received independent advice.' Let me say that the minister has assured me that no sale of Cheltenham can go ahead without its going to its membership. At this stage, I am happy to accept the advice of the minister.

But the key to this, sir, as you know as a former racing minister, is the allocation of dates that are given to a race club. If a club is starved of race dates, a club does not continue. This is the same SAJC which until 15 May—Adelaide Cup Day 1—refused to acknowledge the need for the upgrade of the Morphettville track. This is the same SAJC committee that came up with six priorities for Morphettville

which did not include the track upgrade. What a difference a day makes!

I intend to share further information about the South Australian Jockey Club with the House when I have more time. This is the committee which, with this government, with the member for Bragg, has taken this racing industry down a very slippery track. I intend to share with this chamber—

The Hon. G.A. INGERSON: I rise on a point of order, sir. There is an inference that I have had a direct relationship with the jockey club: I have not, nor has the minister—

The SPEAKER: Order! There is no point of order. The member has an opportunity for personal explanation on that matter.

Mr WRIGHT: Thank you, sir. This is the South Australian Jockey Club about which I intend to share further information with this House. Certain comments that have been made by the Chairman of the SAJC will become public in this chamber; certain comments that have been made by the Deputy Chairman of the SAJC will be made public in this chamber—deals that have been done by the SAJC—and letters that have been written to the SAJC. A litany of information has been brought to the attention of the opposition—and I suspect the government as well. While the opposition intends—

The Hon. G.A. Ingerson interjecting:

Mr WRIGHT: No, the government. The opposition intends to share this information with this chamber in the interests of the racing industry. The opposition will bring forward this information in the interests of the racing industry to assist the racing industry to move forward. The SAJC: its time has arrived and the bell will be rung on it.

Time expired.

The Hon. G.A. INGERSON (Bragg): As a result of some previous comments in this House by the member for Mitchell, I have been asked to put on the public record the position as it relates to the Hickinbotham group. A question was answered yesterday in the House by the Premier, and it is my intention to expand on that and to put more detail to the House. It is a pity that members of parliament take on companies in this House without doing proper research. I think we all know full well that there is an opportunity to bring in things about which we are concerned but without doing proper research and, in essence, defaming under privilege is, I believe, an important issue that needs to be corrected.

The company has identified that it is not a significant contributor to either the Liberal Party or the Labor Party. It has given modest donations to all major political parties, including the ALP and the Democrats. As was mentioned yesterday, as a result of a specific request from the then Secretary of the Labor Party, Mr John Hill, it did make a donation to the Labor Party. The preference of the family company has been to actively promote and support worthy community endeavour in a direct way by making significant financial contributions. In recent years, these contributions have been in excess of 50 times any donations that have been made to political parties. It has supported the following: the Hickinbotham Roseworthy Wine Science Laboratory at Waite campus of the University of Adelaide; University of Adelaide research and development funding in viticulture and oenology; CSIRO research and development funding for water conservation and aquifer storage and recovery trials; water reclamation and reuse in conjunction with the District

Council of Renmark Paringa; the arts in South Australia where it has been a specific sponsor; St Columba College at Andrews Farm (Catholic/Anglican Joint Ecumenical College); Australian rules football—and we know of Mr Hickinbotham's involvement with South Adelaide, in particular; the Queen Elizabeth and Women's and Children's Hospitals; and, as was mentioned yesterday, significant donors to both the Playford and Dunstan Foundations.

As was pointed out yesterday, a previous minister and a person held in high regard by both sides of this parliament, the Hon. Greg Crafter, not only has been a consultant to the company but also has worked with the company in its education endeavours, specifically at Andrews Farm and at Woodend. The group was a reluctant seller of Woodend Centre. The best outcome for the group was clearly the development of the tavern in a financial sense. The feasibility studies and the professional advice was that it would succeed, despite objections from the local community and the council. In selling the Woodend Centre to the government, the Hickinbotham group has forgone the substantial costs associated with the tavern proposal, particularly feasibility costs, architectural planning and legal fees. These amounts are in excess of several hundred thousand dollars.

The first valuation received by DETE was, in fact, based on an incorrect understanding of the size of the property being valued and that has since been corrected. The group's valuer, in particular, arrived at a higher price because it included what is quite reasonable economically—an opportunity cost for the tavern. The Woodend tenancies have been progressively discontinued to make way for the tavern development and it is incorrect to say that the centre is derelict. By accepting the government's offer, the group has forgone a highly profitable investment and has lost money in selling the Woodend Centre. While the sale of the centre was not its preferred option, the group clearly is pleased that the community will now have an outstanding school facility. The company has a long tradition in education and, in fact, initially constructed and privately financed the Woodend school some five years ago.

The group wishes the school well, and it wants to ensure that its contribution will continue. Its major concern is that it has been, in essence, defamed in this place. It would like a formal apology to be put on the record in this place—not outside, but within this chamber—so that its position as a company can continue to remain as well respected company in this state.

Mrs GERAGHTY (Torrens): During Question Time today the leader asked the Premier a question about the federal government's dropping the Australian made requirement for cars bought or leased by public servants as applies in the salary packaging deals. This decision taken by the federal government and supported by industry minister Senator Nick Minchin—and I might say a South Australian senator—is appalling and just another blow to our state's manufacturing base. That is particularly so for the vehicle manufacturing industry, which at present is experiencing major difficulties and uncertainties. A large number of my constituents have come into the office and protested about this particular stance of the federal government.

The federal government's lack of support for jobs in South Australia, together with the state Liberal government's non-jobs growth budget, will mean that this state is in for a hiding to nothing over the next 12 months. The seriousness of the federal government's decision to drop Australian made

requirements for cars in salary packaging for public servants is underlined by the statements made in today's press by Business SA Chief Executive, Peter Vaughan, who has described the federal government's decision as 'incredible' and states that the government's actions 'amount to the government using taxpayer funds to send money away from Australia to go into the pockets of foreign car manufacturers'. Peter Vaughan said:

Most Australians would say that's on the nose.

I would have to say that I and pretty much everyone else agrees with him. Senator Minchin has described the government's position as a human rights issue and is reported as stating that public servants should have the right to choose the car they drive. The context involving issue of choice which needs to be underlined here is not the context used by Senator Minchin. The issue of choice is whether or not we choose to support our locally based manufacturing industry. Unions and other private business concerns which purposefully lease Australian made vehicles know and understand that. The issue here is jobs, export dollars, skills development and all the other benefits that flow from the vehicle manufacturing industry to our state's economy.

As I said in my contribution to the Appropriation Bill, this state is locked into high unemployment. We do not need policy decisions of federal or state governments (Liberal governments) which will further inflate unemployment for South Australians. Inaction by both the federal and state governments in not securing ongoing contracts at the Submarine Corporation has seen further job losses and the possible loss of this industry. There are question marks over Port Stanvac oil refinery, and other recent factory closures add to the jobs crisis in South Australia. The April unemployment statistics show us as still having the highest unemployment rate, second to Tasmania, in the country at 8.3 per cent, and our youth unemployment rate is still hovering around 29 per cent which, again, is the highest, second to Tasmania.

The unemployment figures printed in April show New South Wales at 5.7; Victoria, 6.9 per cent; Queensland, 8.2 per cent; Western Australia, 6.8 per cent; Northern Territory, 5.2 per cent; and Tasmania, 9.1 per cent. Our unemployment figure, at 8.3 per cent, is a total disgrace, and this government can blame no government other than itself for its track record—the Liberals have been in power in this state since 1993—and that is just disgraceful. We have seen the Premier jet off to Tokyo to plead South Australia's case for Mitsubishi to maintain its vehicle manufacturing operations in South Australia, but today in this House he admitted that, apart from a telephone call requesting a discussion with Senator Minchin, he is yet to have a discussion with him. We really want to know what he will say to Senator Minchin in that discussion, and what action he will take to get the federal government to reverse its decision on dropping this Australian made requirement for cars in salary packages for public servants.

The federal government is a flagship for Australian enterprises and it now has to send a signal to car manufacturers such as Mitsubishi that it is supporting Australian based vehicle manufacturing, and that needs to happen immediately, because certainly the viability of our vehicle manufacturing industry is essential to the well-being of this state.

Mr VENNING (Schubert): I rise today to pay a tribute to a colleague of mine and also members of this House who has had and continues to have a most distinguished career in

this place. I refer to the Hon. Graham McDonald Gunn, the member for Stuart, whom I regard as a good friend. The member for Stuart celebrated his 30th anniversary as a member of this House yesterday, 30 May 2000. Mr Gunn was only 28 years old when he was first elected as the member for Eyre on 30 May 1970. He has enjoyed a most distinguished career and has served with many prominent members over these 30 years.

I have known Mr Gunn a long time—long before I came into this House—mainly because he was also a colleague of my father, Howard Venning. Gunnie was a visitor and guest in our house many times, along with many distinguished guests, including the Hon. Roger Goldsworthy, who was often there; Ernie Edwards, the former member for Eyre; and also Allan Rodda and many others. I remember those times with great fondness. Mr Gunn is a person who, as it were, has carried across the generations and is here 30 years after first entering this place. Certainly he was a very prominent and active member of the Tonkin Liberal Government during the early 1980s.

There have been many boundary changes and two name changes since Graham was first elected, and he has contested 10 elections. This House, and most importantly his family, are all very proud of his 30 years of good service and good representation. His strength of character, his honesty, integrity and his no-nonsense manner have all been key attributes that have helped him forge an indelible mark on his position as a member of parliament. Mr Gunn is a most respected person in both the public and private arenas. As we all know, he is a very determined man and very strong and fearless in his representation of his beloved electorate. Mr Gunn has enjoyed considerable success over his career, having been a member and a chairman of some 11 parliamentary committees, but I am probably right in saying that the highlight has been his time as Speaker of this House between 1994 and 1997.

The member for Stuart's success in this place comes not only from his unwavering dedication to his electorate and his job but also from the unwavering support of his family, particularly from wife, Jan, and his two sons, Stuart and Kym. Graham is a proud grandfather of only two months of grand daughter, Courtney. Graham has been totally supported by his mother, Marjorie, his brother, Ian, on the farm and by Neil, who lives and works in Melbourne. The member for Stuart has fought many a battle for his patch which only he could have won, and although he has faced many tough challenges and tough adversaries, having fought 10 elections, the strength of character and commonsense approach that Graham has towards matters generally have seen him win the day on many occasions.

Mr Gunn is one of the most consistent members of this House, totally reliable and totally predictable. We have seen him fight for the underprivileged in his electorate, and I refer particularly to the many Aboriginal communities he represents. If members visit his electorate and talk to the elders and leaders of those communities, they will not hear a bad word about Gunnie. When we talk about reconciliation, I think that the people concerned should have obtained some advice on this issue from the Hon. Graham Gunn, MP: he has probably had more to do with Aboriginals and their issues over the past 30 years than has any other MP in the country.

I would like to thank Graham Gunn for his personal advice and the help he has given me during my time in this place, and no doubt other members would join me in that regard. I am confident that the member for Stuart is sufficiently young

and energetic to be able eventually to hold the record as being the longest serving MP in this State. Some 29 past members have achieved 30 years service, but not in recent times. Graham has swum against the political tide on many occasions, and it would not matter whether he held his seat by .1 per cent: he would still win at the next election.

Some members opposite are critical of the Gunn style, but all I can say is that 30 years and 10 elections later speaks for itself. Graham's electorate loves him and his constituents have kept electing him time after time. The electorate of Stuart (as I have said, formerly Eyre) is the largest electorate in the state, and Graham travels extensively with a regular visiting schedule. He has been blessed with an excellent staff and, indeed, has had only a few staff members in that whole time. I refer here particularly to Helen Stribley, who works for Graham here in Parliament House; what a fine person she is. The Hon. Graham Gunn has been a real asset to this place, and long may he serve his people.

Mr LEWIS: On a point of order, Mr Speaker, is it really your intention to allow the casual manner in which members address this chamber—

The SPEAKER: Order! I ask the member to take his foot off the desk.

Mr LEWIS: Yes, John. How long will it be before we get some definitive ruling on whether members should refer to other honourable members by the electorate they represent or their personal names? Under the convention, the decision taken is that all of us here are not really here as people in our own right but rather with the delegated authority of some 22 000 other people. We are members for a particular electorate. It is distressing to me to find that, in increasing numbers, honourable members are referring to other members by their first names, and they become the subject of the address rather than the people whom they represent.

The SPEAKER: Order! The chair would clearly uphold such a standing order. There has been a practice over recent times for members to deride the standards of the House and, particularly for their own political purposes, to use Christian names across the chamber. All it does is bring down the standards of the House. Every member of this House knows that they refer to members by their electorate and not by Christian names. I can only appeal to members with the interests of the House at heart and our traditions that they adhere to that standing order and desist from this practice of using Christian names. The honourable deputy leader.

Ms HURLEY (Deputy Leader of the Opposition): I want to reflect a little while on the events of yesterday surrounding Corroboree 2000 and the reconciliation ceremonies. There has always been a valued tradition in this state that issues regarding Aboriginal affairs be on a bipartisan basis. The reconciliation ceremonies that were due to be held on the weekend here in South Australia were given bipartisan support, and bipartisan participation was proposed in those events. However, they were cancelled because of the weather. The arrangements were then taken over, as I understand it, by the Premier's Department.

A ceremony to receive Corroboree 2000 was held yesterday morning. The Premier then came into this House and, with the cooperation of the opposition, suspended standing orders and moved a notice without motion that celebrated reconciliation. The opposition was very pleased to cooperate with that at short notice because these are matters in which we believe. However, the opposition was disappointed that not one member of the opposition party was

invited to partake in the ceremony to receive Corroboree 2000 that morning. The Premier informed us that he and the Minister for Aboriginal affairs were present at the ceremony.

I know of no-one else who was invited along to that ceremony which occurred in centre hall right here in Parliament House. No-one on this side of the House was even aware of that ceremony. This is, I believe, a breach of the traditions of this parliament and the government of South Australia. I notice, for example, that the *Advertiser* this morning was very critical of members of this House not being very excited by the motion that the Premier moved about reconciliation. I suggest that members of this House might have been a little more involved in and moved by that motion if they had been informed about the ceremony that was to take place that morning.

This is something that we as an opposition have observed far more frequently of this government. I was not in previous governments. I have been a staffer in a commonwealth member's office and in the Labor Party, so I am a little aware of the conventions of parliament. However, this government has been quite petty about trying to ensure that members of the opposition are not invited to speak, are not acknowledged, and are not present at various official government functions.

To extend this to Aboriginal affairs is just about as low and as petty as you can get. I am not sure whether it was deliberate. Perhaps it was a continuation of this government's lack of consultative and inclusive attitude which it is trying to remedy by having the Premier seen to be participating in this reconciliation and putting his hand print there in the absence of members of the opposition. They are trying to portray a warm and more caring spirit, but it does not penetrate any further than the media hype. The government is not consultative; it does not believe in community; it does not have any underlying philosophy or vision for this state; and it will not think sufficiently long term to include the opposition in a ceremony which should have short, medium and long-term implications for this state in ensuring that the Aboriginal people who were the original inhabitants of our state are given due recognition and the due protection of this state government.

I think it is a great shame that the government has descended to this level. It diminishes the government and it diminishes the state, and I am really quite ashamed of such behaviour when we have seen far more consultative and inclusive behaviour from even the Prime Minister, John Howard.

Mr CONDOUS (Colton): During the past few years I have been privileged to represent the Premier at various functions in my capacity as parliamentary secretary on multicultural and ethnic affairs, and I have had the opportunity to become closely associated with Tony Zappia, the Mayor of Salisbury. I have found Tony to be totally committed to the people of Salisbury, an honest family man and an excellent businessman. Most importantly, he is a great local government mayor who is dedicated and who, along with the people whom he represents, loves the city of Salisbury. It is because of these qualities that I admire the man, irrespective of what side of politics he represents.

I was therefore disturbed over the weekend before last to find that Tony Zappia's attempt for preselection for the federal seat of Makin was unsuccessful. I believe that he was the ideal candidate, especially when you look at the performance reflected as the mayor of Salisbury in the recent election. He had a very strong opponent in Darryl Hicks, a

former Sturt and state footballer, a former coach of the Central Districts Football Club and a generally successful person. Tony managed to win the election by a majority of 6 000 votes.

Members might ask why I am raising this issue. I am doing so because I feel that, in a multicultural community made up of 152 different nationalities, our recent statement in electing Mr Alfred Huang as Lord Mayor of Adelaide has portrayed a clear message to the people of South Australia, Australia and South-East Asia. The message is that Adelaide is not in any way discriminatory or racist, and we believe that the time had come when we were mature enough to elect an Asian of Chinese birth to the highest position in local government.

I was therefore amazed to discover that people within the Labor Party did not want to preselect an Australian of Italian ethnic background to a federal position in the House of Representatives. Had he been elected, Tony would have been the first Italian in South Australia to be elected to the House of Representatives, at a time when we are trying to prove what a strong multicultural community we are.

Having spoken to many people associated with the Labor Party, and having analysed the vote against Tony, I was amazed to learn of some of the people who actually did not support him. Surprisingly, Carmel Zollo from the other place decided that the machine was too strong. She did not want to fall out of favour and, instead of supporting her fellow country person, she voted against him.

One person from this House, Mr Tom Koutsantonis, the member for Peake, voted against him, and the Labor candidate for Hartley, Quentin Black, did not support him. Tony was born in Italy in the region of Calabria, and one would have thought that Quentin Black, the candidate for Hartley, an electorate with one of the highest concentrations of Italian constituents, would have enough commonsense to reject what the Machine was telling him and support Tony Zappia, not only because he was the best candidate for the position but also because he was smart enough to realise that eventually the Italians in the electorate of Hartley would find out what his voting position was. Even more unbelievable is that an Australian of Greek background, Tom Koutsantonis, voted against him and, again, that will be reflected in his vote.

As I said earlier, the reason why I raised this matter for discussion is that I believe the time has come when there should be a greater mix of ethnic people representing the wider proportion of the community. I am bitterly disappointed that Tony, whom I believe lost pre-selection by a handful of votes, did not receive the support of Quentin Black and Tom Koutsantonis. I still have the utmost respect for Tony, and I would like to wish him well in serving the people of Salisbury for the next three years.

PUBLIC WORKS COMMITTEE: NORTHERN POWER STATION

Mr LEWIS (Hammond): I move:

That the 121st report of the committee, on the Northern Power Station, be noted.

This report contains recommendations of a very serious nature about a decision that this House has taken. Last year, the Public Works Committee became aware of plans by Flinders Power to undertake work at the Northern Power Station, the estimated cost of which was to be \$7.5 million. On 2 March last year, the Treasurer informed the committee that the Crown Solicitor had advised that 'repair' work

constitutes public works but that 'maintenance' work does not. Given that advice, the minister asked Flinders Power to advise whether the proposed work constituted repairs or maintenance. I ask members: what would be the response of Flinders Power if it had something that it wanted to cover up? I will return to that matter later.

The committee was told that the company's response was that work on the unit No. 1 boiler—cop this, Mr Speaker—estimated to cost \$3.5 million (that is not quite \$4 million, you see), was repair work; that is, the work constituted a public work. However, Flinders Power defined the work on the unit No. 2 boiler, estimated to cost over \$4 million, as maintenance. Surprise, surprise—or is it? Accordingly, the minister advised the committee that there was no need to refer the work on the Northern Power Station to the committee for its consideration.

The Public Works Committee was aware that the view the work should not be referred to it for consideration was based upon the argument that the No. 1 boiler and the No. 2 boiler are not connected functionally. That is like saying that one pier in the bridge is not connected functionally to the next pier in the bridge, and it is pure coincidence that there is a road over the top; and therefore, of course, we can split the bridge up into pylons and the road over the top, and none of it is a public work. The committee has inspected the plant and noted that the units form part of a single entity, and it is called the Northern Power Station—singular not plural—and are directed by a single management structure and a single staff organisation. There is no differentiation between any contracts that are done there.

Given its concern, the committee resolved to put a motion before parliament, if you recall, Mr Deputy Speaker, on 11 March last year and the House carried the motion. Let me remind you, sir, and other honourable members what that motion stated:

That this House calls on Flinders Power Pty Ltd, which is proposing to refurbish and repair the Northern Power Station, to prepare and present all relevant information about this public works project to the Public Works Committee as required under and pursuant to the provisions of the Parliamentary Committees Act 1991 and refers the public works of the project and associated contracts to the Public Works Committee.

That is the House speaking: that is you and me, sir, and 45 other members duly elected here and sworn in. It is not some dogsbody arrangement from back of the bush, from the black stump somewhere. It is this chamber, this House.

On 30 April, the Treasurer wrote to the committee and informed it:

Given that your motion was passed by the House of Assembly, I assure you that Flinders Power will clearly comply with the relevant provisions of the Public Works Committee.

Flinders Power has neither complied with the direction of the House—and this is very serious—nor with the assurance given by the Treasurer. The Public Works Committee did not receive a response until 17 January 2000, eight months after the minister's assurance and 10 months after the date of the House's motion being passed. The committee has inspected the plant and noted that the units form part of a single entity called the Northern Power Station, and that they are directed by a single management structure, as I pointed out to the House just a couple of minutes ago.

The tardiness of Flinders Power and its failure to appear before the committee constitute a contravention of the direction of the motion of this House. In my judgment, as an interested bystander, I think that that is a straight out abuse

of the parliament. It is a contempt of this place. The response by Flinders Power is quite inadequate and is compounded by the company's failure to approach the committee to make arrangements for the necessary inquiry or to establish the committee's requirements to do so—indeed, to deny any of the committee's staff any access or audience. Flinders Power has not met the requirements imposed upon agency submissions so that the committee can fulfil its functions under the Parliamentary Committees Act. The parliament has established appropriate processes to ensure proper scrutiny and accountability of all agencies engaging in a public works project that involves works in excess of \$4 million in value. The motion carried by the House on 11 March clearly indicated the wish of the parliament to have the proposed work of the Northern Power Station made subject to this scrutiny. The response by Flinders Power to the House's motion is a direct contravention, a flouting of this direction.

In summary, the committee rejects the argument that the work on the Northern Power Station does not need to be referred to it for consideration. Section 12C(a)(v) of the Parliamentary Committees Act requires the committee to inquire into the recurrent or whole-of-life costs associated with the project, and the referral of this work to the committee for consideration is entirely consistent with that requirement. The committee is offended by the response received from Flinders Power. Its charges against the agency are: first, it did not approach the committee to establish the nature of the intended inquiry; secondly, it was tardy in submitting its written submission; and, thirdly, the submission received does not enable the committee to fulfil its responsibilities as detailed in section 12C of the Parliamentary Committees Act.

Pursuant to the provisions of the Parliamentary Committees Act, the Public Works Committee recommends to the parliament that it should support the committee's interpretation of public works. The committee further recommends that the House should confirm its motion that referred this project to the committee and, indeed, the passage of this motion through the chamber will secure that.

Ms THOMPSON (Reynell): This is a fairly baffling case when one looks at the matters put before the Public Works Committee by Northern Power Station. Indeed, some of the information from the Crown Solicitor's office is also somewhat baffling. I certainly support the recommendation of the Public Works Committee that this House confirms its previous motion that requires Flinders Power to bring a full and appropriate case before the Public Works Committee for proper scrutiny of this work. The works have now been completed but the argument involved is important.

The arguments are two-fold: first, that the work required in plants 1 and 2 is different, one involving repair and the other involving maintenance. The other argument is that plants 1 and 2 are separate and independent entities. As the individual work does not exceed \$4 million but the total work far exceeds \$4 million, the argument is that the work on the individual plants (as it does not exceed \$4 million) does not come within the responsibility of the Public Works Committee. To look at the—

Mr Lewis interjecting:

Ms THOMPSON: Yes. Referring to the first argument, involving repair work to one plant and maintenance on the other, if one happens to accept that maintenance is not a public work (and that is a separate argument) and looks at the description of the work involved, one will see that the work on unit 1 is described as follows:

Replacement of economiser one. Repairs to cooling water chambers and application of protective coating to chambers and ducts.

The work on unit 2 is described as follows:

Replacement of economiser one. Repairs to cooling water chamber and application of protective coating to chambers and ducts.

In other words, as the work is exactly the same on unit 1 and unit 2, it defies my understanding as to how one lot of work can be described as 'repairs' and the other as 'maintenance'. The work was conducted in the same year on plants that are exactly the same age. How can one lot of work be described as 'repairs' and the other as 'maintenance'? The second argument is that unit 1 and unit 2 are independent and therefore stand alone in terms of their liability to the scrutiny of this House. As the member for Hammond has pointed out, the management structure is exactly the same. Indeed, throughout the small amount of material that has been provided, reference is made to the fact that there is need to ensure that one unit is fully operational when the other is not, and the need to coincide repairs, maintenance or any program down time of one boiler, one unit or one plant with the other.

When the committee visited Port Augusta to look at the Flinders Power Station in relation to other work connected with the Leigh Creek dumping bridge and the upgrade of the Playford station, it was quite clear to us through our eyes, ears and noses—because we were smelling what was coming out of the plant—that there was one plant, one unit, one power station. No-one seems to deny that that power station happened to consist of two plants, working together, programmed together and managed together. The two arguments that have been put are absolute nonsense.

It is really important that this House indicate that it does require acts that it passes to be taken seriously, and that just because an organisation is corporatised does not mean it can thumb its nose at public accountability and public scrutiny. It is time that organisations realised that the parliament is important to the people of this state and that if it fails to uphold its powers it deserves the contempt in which, unfortunately, too many people already hold us. We are prepared to look carefully at the way the people's money is spent, and that is whether it is their money as a consumer or their money as a taxpayer. At this stage these organisations are still accountable to the minister and to the parliament and we must ensure that they behave appropriately.

Mr VENNING secured the adjournment of the debate.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: ENVIRONMENT PROTECTION

Mr VENNING (Schubert): I move:

That the 39th report of the committee, on environment protection in South Australia, be noted.

The committee received this reference from the House of Assembly in July 1999. Five terms of reference assisted the committee with this inquiry, which was a review of the EPA. This inquiry, which involves the Environment Protection Authority, the Environment Protection Agency and the Environment Protection Act, was a major inquiry for the committee and it took place over a period of six months. During this time the committee received over 70 submissions and took evidence from 83 witnesses. As the government is currently undertaking a review of the EPA, this report is certainly very timely.

The EPA has produced two discussion papers to date: one covering the power and responsibilities of the Environment Protection Authority; and one covering the offences and penalties provisions of the Environment Protection Act. These papers address some of the issues that were highlighted during the committee's inquiry. There is a growing environmental awareness in the community. This awareness has been raised by the activities of many organisations and individuals, as well as continually changing technologies. The results of this inquiry suggest that, in the eyes of the community, the Environment Protection Authority and the agency are not fully living up to their expectations. This may be in part due to the fact that it is not well understood in the community.

A number of different government departments and agencies, as well as the federal government, have a role in environmental matters. In addition, several other acts, apart from the Environment Protection Act, are involved. Evidence to the committee indicated that the EPA staff cannot keep up with the ever-growing demands on their time. Some employees may be required to administer up to 80 licences, and the number of telephone inquiries is increasing every month. The committee has recommended the immediate increase of at least four employees for monitoring and inspections to cope with the current workload.

Long-term plans include the devolution of some environmental responsibilities to local government. The committee was pleased to learn of a pilot study to investigate the best system for transfer of this responsibility. It will begin in July and initially involve three councils. There is a strong community desire for greater participation in environment decision making, as well as ready access to environmental data collected by the EPA. The committee has recommended that there should be easier and cheaper access to such data and that it should be available on the internet.

The committee believes that the Environment Protection Authority should hold more frequent community consultations to attract a broad cross-section of interested parties. There is some dissatisfaction with the way in which the Environment Protection Authority and the agency are interrelated. The committee has suggested a model that would give the authority its own staff and provide a direct line of responsibility for all. This would reduce community confusion over the differentiation between the authority and the agency and it would reduce frustrations with the system now in place.

There should be only the authority. When referring to the EPA today people are not sure whether that is a reference to the authority or to the agency. The same acronym applies to both. When we now refer to the EPA people will know which organisation we are talking about.

The committee received evidence on some unresolved environmental problems that are causing considerable distress to some members of the public. Several of these were linked to a need for an updated environment protection policy on noise. The lack of standards within the current noise policy and the way in which noise is measured need to be addressed urgently.

Ways of measuring and controlling odour also need to be addressed as soon as possible. Regulatory monitoring should occur. To assist a more rapid resolution of environmental problems, the committee has suggested the appointment of a public advocate within the EPA. Part of the role could involve the organisation of conciliation meetings between the stakeholders.

The committee believes that some additional responsibilities should be transferred to the EPA, including the regulation and control of underground storage tanks and also of septic tanks. However, this should occur only with the transfer of the appropriate experienced staff. The committee also recommends that the EPA should be responsible for the Water (Pollution by Oil and Noxious Substances) Act.

As a result of this inquiry, the committee has made 40 recommendations. The recommendations touch on many issues raised by South Australians wanting to improve environment protection. The committee looks forward to a positive response to them.

I would like to take this opportunity to thank all those people who have contributed in this inquiry. In particular, I would like to thank Mr Peter Torr and Ms Helen Cagialis, both of the Environment Protection Agency, who facilitated communication between the authority, the agency and the committee. Their assistance was greatly appreciated by the committee and the staff. I thank all those people who took the time and made the effort to prepare submissions for the committee and to speak to the committee.

The committee took evidence from local government, industry groups, small business, environmental groups and individuals. They enabled the committee to gain a broad understanding of many of the issues surrounding the administration of environment protection legislation in South Australia.

I want to pay a special tribute to the Environment Protection Authority, in particular its Chairman, Mr Stephen Walsh, QC. He is a very busy person and a very respected leader in this capacity. Not many members are aware who heads up the authority, but we met Mr Walsh on one occasion. I know that all those involved speak very highly of him. I am not supposed to talk about these sorts of things, but I know the person in that position gets a small retainer, and I also happen to know that he leaves that with the authority. Certainly, I believe this gentleman ought to be recognised today.

I also want to commend the CEO, Mr Rob Thomas, who has certainly assisted the committee. He assisted me personally to get around some of these very difficult and complicated subjects with which we have to deal. Mr Thomas has been constructive and helpful, and I hope that he sees the report in the same way. He does a very good job, and he believes in his position. As I said, he has certainly been a big help to me. To the EPA generally, I say that I hope it does not see this report as just a criticism. It has become difficult to work under this five year old act and, hopefully, with a new act, I hope it sees that it will be much easier to carry out its task, especially with more resources.

Before I conclude, I again want to pay tribute to the members of this committee, particularly when it is a six person committee, made up of members of all parties in this place. This is the greatest example of bipartisan cooperation that one could see in any corridor of this parliament. It is a pleasure to chair the committee. We have not even looked like having a dissenting report. We have looked at these issues. I know this report is not all the government would like. I can also say to the opposition that it is not all that it would like, either. It is a consenting report, and hopefully it will be used by all involved for the overall good of South Australia. I only wish that other areas of legislation could be handled in the same way, because we looked at this problem in a constructive manner. I am very pleased the parliament has given us the people it has, because it is a pleasure to work

with them. They have all their own expertise. Certainly, we have some spirited and informed debate. I am pleased to perform my role as Chairman, and I only hope that I can continue in that role for another two to six years.

Finally, I want to extend my sincere thanks to all those who assist the committee, particularly our regular staff, Mr Knut Cudarans, with his own inimitable style. He certainly has brought a new flair to the committee and extends us on many occasions and makes us think. The correspondence that comes to us prior to the meetings extends one's mind, and he encourages us to think about the letters we write.

I also pay tribute to our research officer, Heather Hill. She has been with us for some time now. This has been a most difficult matter for a research officer to deal with. It has involved so much information and so many submissions to go through. We are so lucky that we have a person like Ms Heather Hill, whose natural bent is in this area; in fact, she has an honours degree in this subject. How lucky we were to have a person of the calibre of this research officer. Occasionally we had to restrain Heather. We had several discussions, and her natural and obvious flair in the subject came through, and sometimes her effervescence had the chair on the hop. In the end, we were advantaged very much by having access to her expertise. Everyone has worked very hard to ensure the successful completion of this report. Finally, I would like to thank ministers Kotz, Laidlaw and Evans, and their staff for their assistance.

Ms KEY (Hanson): I support the comments of the Presiding Member of the committee and will make a few separate points about this inquiry. I am pleased that we finally got to this stage of reporting on our inquiry into the Environment Protection Agency authority, because it was my idea. I am pleased to see that at least one of my ideas has not only come to fruition but also has had a good result.

All committee members have thought very seriously about the areas of inquiry and, as the year goes on, the different interests of members will be reflected in the reports that we bring before the parliament. That is an indication of the success of a very healthy committee. I was so keen to be involved in this inquiry because of problems that have been raised in my own electorate of Hanson regarding the environment and issues that have been raised by the various environment groups not only in Hanson but also nearby. I would like to pay a tribute to some of those organisations this afternoon.

The Western Region Environmental Association, which I was involved in forming, with very little experience on the part of most of its members, managed to become a fearsome lobby group in the western suburbs. It is ably assisted by my husband but, unlike Kevin Purse, this is the first time that most of the members have ever been involved in any activity or lobbying. I would like to pay tribute to them for that, because in the past year they have learnt a lot about how to make their voice heard on a number lot of issues. I refer also to the Thebarton Residents Association, the West Torrens Residents Association, the Henley and Grange Residents Association, the Flinders Park East Residents Environment Impact Committee, the Richmond Estate Network of Tenants, which is part of the Adelaide workmen's homes group in Richmond, and also the Airport Action Group.

I am also pleased to say that, since the inquiry started, we now have a people's EPA. This is a coalition—I am not sure how many—of over 150 environment associations in South Australia that have got together under the umbrella of the Australian Conservation Foundation to talk about their issues;

to try, in a professional way, to have a forum; and also to raise the various issues of concern to do with the environment.

The main areas that really inspired me to push very heavily for this inquiry involve a number of fundamental facts. One of them was that it seemed to me as a fairly new member of the parliament that the right to know what sort of pollution is being pumped into your backyard, the seaside or your surrounding area was something that had not been receiving a lot of attention. Although most of us in here would agree that to know about their own surroundings and environment is something that people would expect, it really was not happening.

There is also the issue of access to information, and I do not think there would be any argument in this House about the right of residents to have information about their immediate environment and the different chemicals, hazards or problems that may arise. That was also another feature of the basis for wanting to know where we could get that information. Another matter was a forum for following up complaints and inquiries. I am sure that members would agree that, as local members, we need to be able to refer inquiries and complaints to organisations or agencies that have expert information and advice on how to deal with those issues.

For the electorate of Hanson, one of the big issues is the problems of residents living next to industry. It is not only an issue for residents but also for schools, child-care centres, playgrounds, parks and any open space area located next to a factory. That became a big issue and a feature of the work that was taken up by the Western Residents Environment Association. The sixth point that was in my mind during this inquiry was the access of citizens to redress via the council, the state government, the Environment Protection Agency or authority and the Environment, Resources and Development Court. As time has gone on, I have realised that there is a need to ensure that there is access and redress.

My last point concerns what happens if there is a dispute between the government, the council or a developer and a resident or a group of residents. There needs to be some way of mediating those issues, making sure that there is some form of conciliation and, if necessary, that there is a forum in which the legal arguments can be put and a solution addressed. As a new member of parliament 2½ years ago, one of my problems was not being able to get answers on almost any environmental issue. Since being involved in this inquiry, I now understand that there is a protocol and, as much as I understand why a minister has a protocol as to how issues are dealt with and why they need to be referred through that relevant minister, I believe that a lot of the questions that constituents ask me could be answered fairly simply.

Instead of me or my PA being able to ring up and get answers to questions—for example, where can I get rainwater tanks tested, how much does it cost and what is the process of doing that?—I had to wait until this inquiry was held by the Environment, Resources and Development Committee to get the information that I had been seeking for 18 months. In October, a resident wanted to know why there were drums with radioactive stickers on them in a warehouse close to where they were living, what was in those drums and whether they were of any harm. The inquiry was made in October and to this date I still do not have an answer to that question. I do not know whether that is because of the protocol, because the EPA does not have the resources to follow up the issue or because the local council does not have the resources or the wherewithal to follow it up.

I am giving some examples of the sort of frustrations that I as a local member have had on basic concerns that could be translated across a number of electorates. There are more complicated issues. One concerns people who live next to foundries, and one of the reasons for the formation of the Western Residents Environment Group was the fact that residents, either through my predecessor Stewart Leggett or myself, were not getting any answers to questions regarding the awful smell in the area immediately around Castalloy Camden Pty Ltd and at Hennesley (formerly Mason and Cox) Flinders Pty Ltd in the adjoining electorate of Peake. We also wanted to know what was coming out of the smoke stacks and whether it was harmful. It has taken all this time to achieve some sort of community consultation between the factory, the local council and the residents in that immediate area.

There are a lot of reasons why this inquiry has been of great benefit already to a number of members of parliament, not to mention the residents whom they represent. I pay tribute to the very high standard of submissions from witnesses who appeared before the Environment, Resources and Development Committee, particularly the community groups and the individuals who, without a lot of support and resources, managed to present very professionally. I also thank the various workers of the EPA and the authority, particularly Steven Walsh, whom the chair has mentioned, and the Hon. Jennifer Cashmore, for their submissions and the time they took to demonstrate not only their commitment but also their passion for the EPA working in the best way possible and taking up the objectives of the act.

The Hon. D.C. WOTTON (Heysen): I have not had the opportunity to read the report of the committee and I look forward to doing so. However, I support the comments that you made, Mr Acting Speaker, and also those that were made by the member for Hanson. Having been the minister responsible for introducing the Environment Protection Act, I want to make a couple of comments about that legislation because I believe that, overall, it has worked and continues to work very effectively.

It has caused me some concern that, on so many occasions, the authority has been misrepresented on matters of the availability of resources and of the work that has been carried out by members of that authority. I recall vividly the discussions that took place very soon after I became minister with the previous minister, Susan Lenahan, who contributed a significant amount towards the establishment of that piece of legislation. We discussed the matter of resourcing quite openly, and the aims and objectives of the legislation were very much considered on a bipartisan basis.

I take this opportunity, along with you, Mr Acting Speaker, to commend the members of the authority. It is always something of a risk when any minister puts forward to cabinet a list of names of people who will sit around a table and make the decisions that the authority needs to make in so many complicated areas. I have been most impressed—I do not know how else to describe it—with the commitment of the chair, Mr Steven Walsh QC. The time and commitment that he has given is quite remarkable. You mentioned, sir, that the small contribution that the government makes to Mr Walsh as chair (and I do say ‘small’ because it is small in comparison with the contribution that some other chairs receive), he leaves with the authority, and I commend him for that. He is an extremely busy person but he is always available to make a very strong contribution.

I think his expertise in dealing with the media, in particular, is quite superb. I do not think we would find anyone more articulate and able to present a true picture to the community. There have been some changes to the membership of the authority, but all those who have served on the authority have served with distinction, again, all showing enormous commitment outside their duties. In talking to a number of them, I know of the difficult times they have in reaching a conclusion on a number of the issues with which they need to deal.

I mentioned earlier the matter of the misrepresentation of the authority on occasions, and I do regret that. There have been a lot of politics in the issue of resources that are available, and also in some of the decisions that have been made. I regret that because, as I said earlier, I think that the legislation has worked well. You could not find a more committed group of people than those members of the team who make up the authority. I agree with you, sir, that there is confusion when talking about the agency and the authority, both being EPA—there always has been that confusion—and many hours have been spent trying to work around that. I will be interested to see what the report has to say about that matter. Those people have also been expected to work under a considerable amount of stress, and they have done, I think, an excellent job under Rob Thomas, the Chief Executive Officer.

I have not had the opportunity to look at the second reading speech I made in the House when introducing that legislation, but I am sure that at that time I did say that I would expect that the legislation, as complicated as it is, should be reviewed within five years. That time, as you have indicated, sir, is now upon us and I think it is totally appropriate that the legislation should be reviewed and amended, and that some time be spent in ensuring that the legislation is effective. As far as I am concerned, it is a very important piece of legislation—it is very important for all South Australians—and it deserves the attention of this place to ensure that the legislation is appropriate in every way. I look forward to reading the report and I support the motion before the House.

Motion carried

PUBLIC WORKS COMMITTEE: SITE INSPECTION TOUR

Mr LEWIS (Hammond): I move:

That the One Hundred and Twenty-Fifth Report of the Public Works Committee on the Committee's Site Inspection Tour of 15 to 17 March 2000 be noted.

This report involves not only work in the Murray Valley but also, indeed, wherever a problem of salinity has arisen which is requiring or will require public work to be undertaken to mitigate the consequences and the effects of that salinity.

Between 15 and 17 March last, the committee conducted a tour involving four site inspections and decided to do this as a result of a series of events. On 27 October last year, we resolved to reopen the inquiry into the Qualco Sunlands ground water control scheme. The scheme addresses the problems of increasing drainage hazards, rising ground water mound, environmental degradation and the impact on Murray River salinity. In December 1999, the committee tabled its report concerning the Upper South-East salinity and flood management plan, stage 2, although the committee did not have an opportunity to undertake a site inspection of the area as part of the evidence it took at the time. On 7 December, the

Lower Murray Irrigation Action Group invited the committee to tour the Lower Murray reclaimed swamp irrigation area. The group's purpose was to brief the committee on the issues facing the Lower Murray dairy industry and the changes proposed in the draft land and water management plan for the area.

Given the location of these irrigation and salinity management projects, the committee resolved to inspect them in a combined tour in the interests of efficiency of travel. It would mean that we would have to travel to the country on only one occasion, thus saving that 200 kilometre round trip to get to anywhere from being duplicated. We later resolved to visit the Murray Bridge Soldiers Memorial Hospital during the trip in order to be briefed on the proposed hospital redevelopment. Members conducted a site tour of the Stockyard Plains disposal basin on 15 March. The basin forms part of the Woolpunda and Waikerie salt interception schemes, the major purpose of which is to remove natural ground water inflows to the river.

The basin has also provided an opportunity to dispose of saline drainage water from the Qualco Sunlands project. The saline water flow in the basin has reached equilibrium at a point below the original design and has created a wetland area that is becoming a haven for wildlife. In fact, the basin ponds have attracted 130 species of birdlife and have caused the area to be a popular tourist spot. In addition, efforts to revegetate the area have resulted in mallee and regrowth mallee becoming dominant with small stands of other plant species. Despite these welcome outcomes, local farmers told the committee that the existence of the wetlands should not be allowed to compromise the primary function of the basin.

On 16 March (the next day), members visited key elements of the Upper South-East dryland salinity and flood management plan. Members observed large areas of salt-ravaged land in areas where drainage works are not in place. The committee was told that an integral part of the plan is an outlet of up to 20 metres depth through the dunal range south of Salt Creek. This will provide a point of discharge for the drainage network in the northern catchment and allow the wetlands of Bakers Range watercourse to be flushed to prevent an accumulation of salt. The committee was told that commonwealth financial assistance requires the outlet to avoid Messent Conservation Park—and I just wish they would keep their face out of it; it would have made the whole thing a lot easier if they had.

One alternative passes through the heritage agreement area of Bonney's Camp; a second passes through the north-eastern corner of Bonney's Camp and the grazing properties of Deepwater and Currawong. Because of the native vegetation associated with the Bonney's Camp alignment, the preferred option is through the grazing properties. The committee profoundly regrets that this option is not immediately available. The committee was told that the owners of the property do not believe that they will benefit from the drainage scheme and that they are flatly opposed to the construction of the outlet on the preferred alignment—it is a 'dog in the manger' attitude. Compulsory acquisition is the only way of pursuing this option and the land-holder, a man of considerable substance, has threatened the longest possible legal action to delay the construction of the drain if this occurs.

Unfortunately, it is imperative to pursue the alignment through Bonney's Camp because we cannot wait the three years it would otherwise take, and by pursuing this option it will minimise further land salinisation. The Native Vegetation

Council approved the management plan for the clearance of native vegetation along this alignment. It will involve clearing about 100 hectares of native vegetation, but will save thousands of hectares of native vegetation and wetlands in the upstream areas which are now under immediate threat.

If some action is not taken forthwith they will simply disappear. That is why I found the commonwealth government's attitude quite amazing, because the alternative route through Messent would have been more quickly constructed, would have resulted in fewer trees being cleared, would have been cheaper to construct and would have resulted in less earthworks and less disturbance to the natural environment, and indeed it would have secured a more appropriate location for the discharge of this salt, which is accumulating and causing the loss of not just a few hectares but hundreds of hectares almost month to month.

Despite the significant regional benefits, the decision to clear the native vegetation has met with considerable adverse comment from conservation groups opposed to the clearance of native vegetation. Those fools—that is my word—really believe that they must save the one tree that stands in the way, as it were, and sacrifice the million that that tree would otherwise save. I just do not understand how people can be so irrational and idiotic in their outlook.

I will continue and point out that the committee is also concerned that the commonwealth funding for the dry land salinity and flooding plan depends upon discharge to the Coorong being limited to 40 000 megalitres a year so that the hypersaline character of the southern lagoon is maintained. Such a limit may compromise the capacity of the plan to remove salt from the wetlands. That is a gentle understatement.

My personal view is that such a limit will compromise the capacity—and I will go further than that: such a limit is equally bloody stupid because it is simply the same as I have said before. It is like a man tying a knot in the urethra and expecting to survive in consequence of doing so. You will drown in your urine in no time. And that is exactly what will happen in the South-East. To restrict the discharge to such a ridiculously low level in the belief that it is sensible to retain a hypersaline environment in the southern lagoon of the Coorong, which is an unnatural state for that lagoon, I point out to you, Mr Deputy Speaker, as you would well know, is to my mind the height of absurdity. It has nothing to do with saving, as it were, the natural environment or attempting to restore it: it has everything to do with some precious, idiotic value base which has no soundness in good science whatever and which cares not one jot for the consequences in the future for the upstream vegetation and farm land that needs to be saved from the effects of the salinity.

Whether it was right to do what has been done in clearing the land, there is no question that the only solution is now to drain it; otherwise it will become a salinised mess, and we will lose everything—

Mr Atkinson: What?

Mr LEWIS: A salinised mess.

Mr Atkinson: Before that.

Mr LEWIS: Drain it, yes. It is better to have a colostomy than no means of getting rid of the waste at all. It is a pretty painful and unpleasant death and, what is more, you stink in the process. The irrigators are exploring the option of getting private water allocation with conditions and having metering introduced. The committee is told that the implementation of a proposed management plan can result in a 100 per cent productivity increase, while significantly reducing the

environmental impacts from the present system which collects nutrients that are then returned to the Murray River, where we went next to inspect flood irrigation on the Lower Murray swamps.

We learned that that flood irrigation on the Lower Murray swamps utilises gravity fed technology, which is as old as the unfortunate irrigation areas of Mesopotamia that were destroyed by such an irrigation process some 2 000 or 3 000 years ago, depending on which area you are looking at.

Flood irrigation relies upon old equipment that is in very poor condition. In fact, it might as well not be there. Much of it does not stop the flow of water from the channels across the swamps, and there is a poor management, then, of the water and excess use of it (or abuse of it). The project to repair that irrigation area, the Lower Murray, is looking to upgrade and recondition all this equipment or otherwise perhaps (one hopes) introduce new technology.

The irrigators are exploring the option of getting private water allocations with conditions and having metering, as I have already pointed out. Indeed, not only do I hope but also the irrigators are begging to be given meters so that they can monitor the quantity of water that they are using and understand how little or how much is really required.

The committee noticed that paddocks at Wellington and Monteith were subject to this irrigation technology and saw the difference in pasture quality that occurs where laser levelling has been used compared to those areas where it is not used and how much it facilitates the flow of water. However, in some areas, the laser levelling cuts away the thin skin of organic matter rich so-called top soil, leaving very poor soil beneath which produces nothing.

We saw also the design for the proposed 'toe' drains (that is right at the very tip of the irrigation bays) to take the nutrient loaded water run-off to higher ground for further use. We are told that the proposal is being delayed by the lack of water allocation policy being determined by the government. I urge the minister to address the problem he has of no CEO and a diffuse, if you like, spread of scientific experts and policy advisers throughout various departments (none of whom are in his own) in order to address the other problem which he has as a consequence and, if he cannot do it, the Premier needs to step in and fix it fast.

The committee is of the view that the scheme has a need for monitoring wells to be sunk to establish the salinity readings of the ground water in that area.

Time expired.

The DEPUTY SPEAKER: I call the member for Reynell and remind her that she has only three minutes.

Ms THOMPSON (Reynell): I will use that time to speak in support of the report of the committee's site tour. The tour consolidated inspection of four sites. Two projects involved had previously been before the committee without our having the benefit of a site inspection. This is quite a rare event for the committee because, particularly when a project is something with which we are not readily familiar, we do put a lot of effort into examining the site so we can get a full understanding of just what challenges and risks are involved in the project. No matter how beautiful the slides are that we are given, it does not really make an impact until we are able to see just what is happening.

However, in the case of the Stockyard Plains disposal basin attached to the Qualco-Sunlands project and the Upper South-East dryland salinity and flood management plan, we were fortunate that two members of the committee had fairly

close-up and personal knowledge of what was involved and were able to advise those of us less familiar with drains and bores and things about some of the issues involved in the projects. We were well aware that our monitoring process would enable us to look at those issues fairly quickly.

We therefore decided to save everybody's time and money by consolidating four site inspections on the basis that we would not be in any way diminishing the quality of the examination of those first two projects by undertaking them in the absence of a site inspection. It was very useful, therefore, for us to go to Loxton and look at the Stockyard Plains disposal basin, to get some understanding of the issues there, because the community sees quite a number of matters that are still to be resolved.

The Stockyard Plains disposal basin was identified as somewhere in which the salt water (which we do not want going into the Murray) could be stored—and 'stored' means almost indefinitely. It is expected that what we are doing now in pumping saltwater out before it gets into the Murray and storing it in these disposal basins is something that is affecting the environment for hundreds of years to come.

We are being very bold in the way we are interfering with nature, and we hope that we are getting it right. Because the people who have gone before us thought they were doing the right things when they caused these problems, it is really incumbent on us to make every inquiry possible and look at every safeguard possible to see that we are getting it right and not making more of a problem for generations to come.

Time expired.

Debate adjourned.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION No. 2) BILL

The Hon. I.F. EVANS (Minister for Environment and Heritage) obtained leave and introduced a bill for an act to prohibit the establishment of certain nuclear waste storage facilities in South Australia; and for other purposes. Read a first time.

The Hon. I.F. EVANS: I move:

That this bill be now read a second time.

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

Leave granted.

For some years now, various Commonwealth Governments have been working towards the establishment of a permanent national repository for low-level radioactive waste.

The repository is required to deal with some 3500 cubic metres of low-level waste currently stored at over 50 locations around Australia.

This material stems from the medical, research and industrial use of radioisotopes in Australia, and includes such items as lightly contaminated soil, paper, plastics, glassware, protective clothing, laboratory equipment, electron tubes, smoke detectors, luminescent signs, watch faces and compasses.

Earlier this month—after an Australia-wide selection study first started in 1992—the Commonwealth announced that its search for a low-level radioactive waste repository had been narrowed down to five possible sites in the central-north region of South Australia.

These sites will now be further examined and detailed environmental impact assessments will be carried out by the Commonwealth.

The South Australian Government has no objection in-principle to the Commonwealth's plans to establish a low-level radioactive waste repository in South Australia.

It should be noted that the definition of nuclear waste in both the Opposition and Government Bills does not include *Category A, B or C* radioactive waste as defined in the *Code of Practice for the Near-Surface Disposal of Radioactive Waste in Australia* (1992)

approved by the National Health and Medical Research Council, which is commonly known as low and short-lived intermediate waste. It is this waste that could be disposed of in a low-level waste repository.

It is a responsible course of action—also supported by the former Labor Government—to ensure that such waste is stored as safely as possible.

The Commonwealth is also exploring potential sites for a national storage facility to house an estimated 500 cubic metres of long-lived intermediate level waste currently stored around Australia, as well as reprocessed fuel rods from Lucas Heights.

This is an entirely different matter.

As indicated to this House by the Premier in his Ministerial Statement of 19 November 1999, the South Australian Government is opposed to long-lived intermediate to high-level radioactive waste being dumped here.

No decision has been made on the location of a national store for long-lived intermediate waste.

But it is clear that South Australians do not want their backyard to become the dumping ground for the nation's long-lived intermediate and high-level nuclear waste.

The best way to send this message loudly and clearly to Canberra is for the Parliament of South Australia to pass legislation prohibiting the establishment of a national nuclear waste storage facility.

But we have to get it right.

Private Members' Bills introduced by the Democrats and the Opposition either don't go far enough, or are seriously flawed.

The Nuclear Waste Storage Facility (Prohibition) Bill 1999 introduced in the Legislative Council by the Honourable Sandra Kanck is not supported by the Government.

The Kanck Bill would allow nuclear waste of any level that has been generated in Australia to be stored in South Australia.

This is not what South Australians want, and the Government rejects this proposition outright.

The Democrat Bill is also found wanting in that its definition of nuclear waste does not include waste from nuclear weapons or spent nuclear fuel.

The Nuclear Waste Storage Facility (Prohibition) Bill 2000 introduced into this House by the Member for Kaurna is unworkable.

It does not take account of radioactive material currently used in South Australia for medical, research and industrial purposes and waste that is already stored here.

The Opposition's Bill does not distinguish between radioactive material which is in use, and that which is waste. Consequently, anyone who stored radioactive material still in use would be in breach of this legislation.

It does not provide for the storage of *Category S* waste already stored in South Australia with the approval of the South Australian Health Commission pursuant to the Ionizing Radiation Regulations made under the *Radiation Protection and Control Act 1982*. For example, in South Australia *Category S* waste is generated by medical, industrial and research activities that are regulated by the Radiation Protection Branch of the Department of Human Services.

It is anti-competitive, in that it does not allow for future legitimate activities in South Australia of a similar nature to those already authorised by the Health Commission under the Radiation Protection and Control Act.

It fails to take account of the small number of businesses which may require to store waste temporarily before exporting it out of the State and the return of radioactive sources in instruments that have been manufactured in South Australia.

It does not mention nuclear waste from weapons as waste, and

It would preclude the expenditure of any money by the State Government to responsibly manage any waste that is presently lawfully stored in this State or is lawfully produced in the future.

The Government's Bill takes account of these factors.

It clearly defines the nuclear waste that South Australia does not want to store:

Waste derived from the operations or decommissioning of a nuclear reactor, a nuclear weapons facility, radioisotope production facility, uranium enrichment plant, the testing, use or decommissioning of nuclear weapons or the conditioning or reprocessing of spent nuclear fuel.

The Bill will ban the construction or operation of a storage facility for this waste.

It will also ban the importation or transportation of nuclear waste for delivery to such a facility.

Stringent penalties are included for any breach of the legislation—with fines of up to \$5 million and 10 years' imprisonment.

Further, the Bill provides that a person found guilty of contravening the Act can be required to remove any such facility and mitigate any future environmental harm resulting from its construction and/or operation.

This Bill makes it abundantly clear that South Australia does not want to become the backyard dumping ground for the rest of the nation's nuclear waste.

The Government looks forward to the support of the Parliament to send a bipartisan message to Canberra and the Commonwealth.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

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

Clause 3: Objects of Act

This clause provides that the objects of the measure are to protect the health, safety and welfare of the people of South Australia and to protect the environment in which they live by prohibiting the establishment of certain nuclear waste storage facilities in this State.

Clause 4: Interpretation

This clause defines words and expressions used in the measure.

Clause 5: Act binds Crown

This clause provides that the measure binds the Crown in right of the State and, in so far as the legislative power of the State permits, in all its other capacities.

Clause 6: Application of Act

This clause excludes from the operation of the measure—

- (a) radioactive waste lawfully stored in the State before the commencement of the measure; and
- (b) radioactive waste—
 - (i) from radioactive material that has been used or handled in accordance with the *Radiation Protection and Control Act 1982* pursuant to a licence, permit or other authority granted under that Act; and
 - (ii) the storage or disposal of which has been authorised by or under that Act.

Clause 7: Effect of Act

This clause provides that the measure has effect despite any other Act or law.

Clause 8: Prohibition against construction or operation of nuclear waste storage facility

This clause makes it an offence for a person to construct or operate a nuclear waste storage facility and prescribes maximum penalties of \$500 000 or imprisonment for 10 years in the case of a natural person and \$5 000 000 in the case of a body corporate.

Clause 9: Prohibition against importation or transportation of nuclear waste for delivery to nuclear waste storage facility

This clause makes it an offence for a person to bring nuclear waste into the State, or transport nuclear waste within the State, for delivery to a nuclear waste storage facility in the State.

It prescribes maximum penalties of \$500 000 or imprisonment for 10 years in the case of a natural person and \$5 000 000 in the case of a body corporate.

Clause 10: Offences by body corporate

This clause provides that if a body corporate commits an offence against the measure, each person who is a director of the body corporate or a person concerned in the management of the body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence when committed by a natural person unless it is proved that the person could not by the exercise of reasonable diligence have prevented the commission of the offence by the body corporate. Such a person may be prosecuted and convicted of an offence whether or not the body corporate has been prosecuted or convicted of the principal offence committed by the body corporate.

Clause 11: Powers of public authority

This clause empowers public authorities to do one or more of the following:

- (a) remove a nuclear waste storage facility constructed or operated in contravention of this measure;
- (b) make good any environmental harm resulting from the construction or operation of that facility;
- (c) prevent or mitigate any future environmental harm resulting from the construction or operation of that facility.

Clause 12: Orders by court against offenders

This clause empowers a court that finds a person guilty of an offence against the Act to make one or more of the following orders against the defendant:

- (a) an order that the defendant take specified action to—
 - (i) remove a nuclear waste storage facility constructed or operated in contravention of this measure;
 - (ii) make good any environmental harm resulting from the construction or operation of that facility;
 - (iii) prevent or mitigate any future environmental harm resulting from the construction or operation of that facility;
- (b) an order that the defendant take specified action to publicise the contravention and its environmental and other consequences and any other orders made against the defendant;
- (c) an order that the defendant pay—
 - (i) to a public authority that has incurred costs or expenses in taking action of a kind referred to in clause 11 as a result of the contravention; and
 - (ii) to any person who has suffered injury or loss or damage to property as a result of the contravention, or incurred costs or expenses in taking action to prevent or mitigate such injury, loss or damage,

the reasonable costs and expenses so incurred, or compensation for the injury, loss or damage so suffered, as the case may be, in such amount as is determined by the court.

Clause 13: No public money to be used to encourage or finance construction or operation of nuclear waste storage facility

This clause prohibits the appropriation, expenditure or advancement of any public money for the purpose of encouraging or financing any activity associated with the construction or operation of a nuclear waste storage facility in South Australia.

Mr HILL secured the adjournment of the debate.

GROUND WATER (QUALCO-SUNLANDS) CONTROL BILL

The Hon. M.K. BRINDAL (Minister for Water Resources) obtained leave and introduced a bill for an act to reduce the risk of waterlogging and salinisation of land and increased levels of salinity in the River Murray caused by the irrigation of land in the Qualco-Sunlands irrigation area; to make a related amendment to the Irrigation Act 1994; and for other purposes. Read a first time.

The Hon. M.K. BRINDAL: I move:

That this bill be now read a second time.

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

Leave granted.

The Qualco Sunlands district, immediately downstream from Waikerie on the River Murray, comprises about 2700 ha of high value horticultural crops, mainly citrus and vines, which are irrigated by sprinkler irrigation systems. Large scale irrigation development in the Qualco Sunlands district commenced in the 1960's.

Drainage waters from irrigation applications have resulted in sustainability difficulties in a number of the irrigated properties as shallow water tables developed on underlying clay layers. Until recently the local management strategy was to install bores to drain excess water through the clay layers to the underlying materials, which resulted in a groundwater mound developing under the region and increased seepage of saline drainage water to the River Murray.

This practice is also clearly unsustainable, for both irrigation development and the River Murray. The Sunlands-Qualco irrigators (as the Qualco-Sunlands Drainage District Inc) have, with funds made available through the Murray Darling Basin's Drainage Program, assessed future drainage management options and have developed a comprehensive plan of action which includes new drainage infrastructure. The proposed infrastructure comprises a series of groundwater bores equipped with pumps that will draw down the groundwater mound and dispose the saline waters to the Stockyard Plain Evaporation Basin.

The Scheme will prevent (and reverse) the salinisation and waterlogging of prime horticultural land due to the irrigation induced groundwater mound under the district. There will be a significant reduction in the local saline groundwater discharge into the River

Murray and hence an improvement of the River waters salinity over the next 30 years. A grower-motivated drive to improve irrigation efficiency is also occurring, which over time will reduce the volume of drainage water generated. In addition, the Scheme will enhance economic development in the district by enabling future sustainable development, without additional impact of salinity or drainage on the River Murray.

A range of beneficiaries of the proposed works have been identified including downstream River Murray users (from salinity reduction); with the ratio of private to public benefits that have been estimated to be achievable by the SA Centre for Economic Studies to be 45:55. The private and public contributions to the whole of life costs in the Scheme are commensurate with this ratio which can be adjusted periodically to ensure that the private and public cost benefit ratios remain equivalent.

The SA Centre for Economic Studies prepared, in 1997, an analysis of the economic benefits associated with the proposed Scheme, which include production, environment and salinity benefits, and are estimated to have a value of about \$50 million npv.

The capital cost of the works is approximately \$7m and the operating cost \$0.26m pa. Funds for the capital component of the scheme have been approved by the Natural Heritage Trust. 50 per cent of the capital funds required will be provided by the Commonwealth Government, and 50 per cent by the State through River Murray Catchment Water Management Board, and State NHT contributions. Irrigators will fund operating costs to achieve sustainability and salinity reduction benefits, over 30 years, to meet their agreed cost share of the project.

On completion, the Scheme will control the irrigation induced groundwater mound and will lead to sustainable irrigation of high value crops in the district. In addition, all irrigators contributing to the Scheme will achieve a zero salinity impact on the River Murray. Any new development in the district will also be required to achieve zero salinity impact and will be able to do so through access to the Scheme.

The salinity benefits from the Scheme will assist South Australia in meeting salinity impact obligations from irrigation development. The State intends, through the Minister for Water Resources, to use the salinity benefits generated by the Scheme operation to claim salinity credits under the Murray Darling Basin Salinity and Drainage Strategy.

The Parliamentary Works Committee and Parliament have endorsed the project.

To accommodate the arrangement for Scheme funding and cost sharing between the Governments and the community on the beneficiary pays basis already referred to, it has been necessary to develop special legislation to enable the Scheme to proceed and to formally secure financial contributions from each benefiting irrigator within the designated district. The *Ground Water (Qualco-Sunlands) Control Bill* has been drafted for this purpose. The draft Bill has been subject to community consultation and as a result of comments received, modified to meet both community and Government expectations. Passage of the Bill through Parliament will then allow for construction of the Scheme to proceed with completion planned for late 2000.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1 and Clause 2:

These clauses are formal.

Clause 3: Interpretation

Clause 3 provides definitions of terms used in the Bill.

Clause 4: Provisions relating to irrigation districts

Clause 4 provides for the fact that part of the Scheme Area is comprised of the Sunlands Irrigation District constituted under the *Irrigation Act 1994*. If some or all of the irrigated properties comprising the district do not have water allocations under that Act the whole district will be taken to be an irrigated property under the Bill and the irrigation trust will be a member of the Trust established by the Bill if a waterlogging and salinity risk management allocation is attached to the irrigated land of the district. If on the other hand all of the irrigated properties under that Act have a water allocation each of them that has a risk management allocation will be regarded as an irrigated property for the purposes of the Bill.

PART 2

THE QUALCO-SUNLANDS GROUND WATER CONTROL TRUST

DIVISION 1—ESTABLISHMENT OF THE TRUST

Clause 5: Establishment of the Trust

Clause 5 establishes the Qualco-Sunlands Ground Water Control Trust. The members of the Trust are the owners of land in the Scheme Area to which a risk management allocation is attached. Risk management allocations will not be allotted until the end of September and in the meantime members of the Qualco-Sunlands District Drainage Incorporated will be members of the Trust in order to transact the initial business of the Trust (see Schedule 4).

Clause 6: Transfer of assets etc. of Qualco-Sunlands District Drainage Incorporated to Trust

Clause 6 provides for the new Trust to take over the property, rights and liabilities of Qualco-Sunlands District Drainage Incorporated and its employees as well.

Clause 7: Presiding officer and deputy presiding officer of the Trust

Clause 7 provides for the presiding officer and deputy presiding officer of the Trust.

DIVISION 2—MEETINGS OF THE TRUST

Clause 8: Calling of meetings

Clause 8 provides for the calling of meetings of the Trust.

Clause 9: Procedure at meetings of Trust

Clause 9 provides for the quorum and other procedural matters at meetings of the Trust. Resolutions at meetings of the Trust require a majority in number and value to be carried.

Clause 10: Notice of meetings where ownership of property changes

Clause 10 provides that a further notice of a meeting of the Trust is not required where a change of ownership of land has occurred.

Clause 11: Voting

Clause 11 provides for voting at meetings.

DIVISION 3—BOARD OF MANAGEMENT, COMMITTEES AND DELEGATION

Clause 12: Board of management

Clause 12 allows the Trust to appoint a board of management to carry out the daily operations of the Trust.

Clause 13: Delegation

Clause 13 enables the Trust to delegate its functions and powers.

Clause 14: Notice of resolution

Clause 14 provides for the period of notice of a resolution to appoint a board of management or to delegate functions or powers.

DIVISION 4—ACCOUNTS AND AUDIT

Clause 15: Accounting records to be kept

Clause 15 requires the Trust to keep proper accounting records.

Clause 16: Preparation of financial statements

Clause 16 requires the preparation of financial statements and that the statements be audited. Subclause (5) makes failure to cooperate with the auditor an offence.

Clause 17: Accounts etc. to be laid before annual general meeting

Clause 17 requires the Trust to lay a copy of the audited financial statements of the Trust before each annual general meeting. The Trust must prepare a report on its operations for the previous financial year and lay that before the meeting as well.

DIVISION 5—APPOINTMENT OF ADMINISTRATOR

Clause 18: Appointment of administrator

Clause 18 enables the Minister to appoint an administrator of the Trust if the Trust persistently fails to perform its functions, or contravenes or fails to comply with a provision of the Bill or has been guilty of financial mismanagement.

PART 3

FUNCTIONS AND POWERS OF THE TRUST

DIVISION 1—CONSTRUCTION AND MAINTENANCE OF THE SCHEME INFRASTRUCTURE

Clause 19: Construction of the Scheme infrastructure

Clause 19 provides for the construction of the Scheme infrastructure.

Clause 20: Infrastructure for reuse of underground water

Clause 20 enables the Trust to acquire or construct infrastructure to recover underground water for the purposes of irrigation.

Clause 21: Maintenance and repair of infrastructure

Clause 21 requires the Trust to maintain and repair the Scheme infrastructure.

Clause 22: Vesting of Scheme infrastructure

Clause 22 provides that the Scheme infrastructure is vested in the Trust.

Clause 23: Insurance of Scheme infrastructure

Clause 23 requires the Trust to insure the Scheme infrastructure and to insure itself against normal risks and risks prescribed by regulation.

DIVISION 2—DISPOSAL BASINS

Clause 24: Provision of disposal basins

Clause 24 places the responsibility of providing disposal basins on the Minister.

DIVISION 3—OPERATION OF THE SCHEME

Clause 25: Operation of the Scheme

Clause 25 requires that the Scheme be operated so that the benefit derived by the Government on the one hand and growers on the other in relation to their respective financial inputs is as far as practicable equal.

Clause 26: Creation of salinity credits by Trust

Clause 26 enables the Trust to enter into agreements to use the Scheme infrastructure to produce salinity credits on behalf of the other party to the agreement.

DIVISION 4—POWERS OF THE TRUST

Clause 27: Powers of Trust

Clause 27 sets out the powers of the Trust.

PART 4

WATER DISPOSAL EASEMENT

Clause 28: Acquisition of easement

Clause 28 authorises the Minister to acquire the necessary easement for the Scheme infrastructure by agreement or compulsorily under the *Land Acquisition Act 1969*. Subclause (4) requires the Minister to transfer the easement to the Trust.

Clause 29: Rights conferred by easement

Clause 29 sets out the rights conferred by the easement.

Clause 30: Minimisation of damage etc.

Clause 30 requires a person exercising rights under the easement to minimise damage to land and vegetation on the land and avoid unnecessary interference with the land and the use and enjoyment of the land by other persons.

Clause 31: Issue of certificate of title for water disposal easement

Clause 31 provides for the issue of a certificate of title for the easement.

Clause 32: Dealing with easement

Clause 32 requires the approval of the Minister to an agreement or other transaction affecting the easement.

PART 5

IMPACT OF IRRIGATION ON WATERLOGGING AND SALINISATION

DIVISION 1—CLASSIFICATION OF LAND

Clause 33: Classification of land in the Scheme Area

Clause 33 provides for the classification of all irrigated land in terms of the impact of irrigating the land on the groundwater mound and the underground water lying above the layer of Blanchetown Clay in the Scheme Area. The classification of the land will translate through provisions in the regulations into the categorisation of the land. The category of irrigated land will affect the contribution to be paid under Part 7 in respect of it.

Clause 34: Members of the Trust to be consulted

Clause 34 requires that before the classification of land is varied the owners of land affected by the reclassification must be consulted.

DIVISION 2—CATEGORIES OF LAND

Clause 35: Categories of land

Clause 35 provides for categorisation of land.

DIVISION 3—CERTIFICATE OF ZERO IMPACT

Clause 36: Certificate of zero impact

Clause 36 enables a landowner who wishes to opt out of the Scheme to create his or her own drainage system and obtain a certificate of zero impact. Subject to clause 52 a certificate of zero impact excludes the obligation to contribute to the Scheme under Part 7 in respect of the land to which the certificate applies.

Clause 37: Variation or termination of certificate

Clause 37 provides for the variation or termination of a certificate of zero impact.

Clause 38: Appeal to the ERD Court

Clause 38 provides for an appeal if an application for a certificate of zero impact is refused or if a certificate is varied or terminated.

DIVISION 4—REDUCING THE IMPACT OF IRRIGATION

Clause 39: Rewards for reducing the impact of irrigation

Clause 39 provides for the making of regulations to set up a scheme to reward growers who reduce the adverse impacts of irrigation.

PART 6

ALLOCATION OF THE SCHEME'S RISK MANAGEMENT CAPACITY

Clause 40: Waterlogging and salinity risk management allocation

Clause 40 provides for waterlogging and salinity risk management allocations. The Scheme has a finite capacity to manage the risk of waterlogging and salinisation of land caused by irrigation and a waterlogging and salinity risk management allocation (or a risk

management allocation) is a share of that capacity. A risk management allocation is attached to land and a grower who irrigates land that does not have an allocation attached to it will have to make a substantially increased contribution to the Scheme in respect of the irrigation of that land.

Clause 41: Application for initial risk management allocation

Clause 41 gives existing growers the right to be part of the Scheme by applying for a risk management allocation equivalent to the quantity of water set out opposite their water licence in Schedule 2. They can apply also at the same time for a share of the excess risk management capacity (if any) of the Scheme.

Clause 42: Determination of excess capacity

Clause 42 provides for the determination and redetermination from time to time of the risk management capacity of the Scheme by the Minister and the Trust.

Clause 43: Request for increase in, or for a new, risk management allocation

Clause 43 enables owners of land in the Scheme Area to apply to the Trust for a share, in the form of additional risk management allocations, of the risk management capacity of the Scheme.

Clause 44: Transfer of risk management allocations

Clause 44 provides for transfer of risk management allocation from land within an irrigated property to other land within the property if the land to which the allocation is transferred is not of a category having a higher risk of irrigation induced degradation.

Clause 45: Agreement with landowner to increase risk management capacity

Clause 45 enables a landowner or group of landowners to enter into an agreement with the Trust to increase the capacity of the Scheme infrastructure in return for a share of the increased risk management capacity of the Scheme.

PART 7

FUNDING THE OPERATION AND MAINTENANCE OF THE SCHEME

DIVISION 1—FUNDING THE SCHEME

Clause 46: Money required for operation and maintenance

Clause 46 provides for the determination by the Minister and the Trust of the money required by the Trust in the next contribution year to operate and maintain the Scheme infrastructure.

Clause 47: Payment by the Treasurer

Clause 47 requires the Treasurer to pay the amount determined under clause 46 to the Trust in 4 equal instalments.

Clause 48: Recovery of money paid by Treasurer to Trust

Clause 48 provides for the recovery by the Minister of the money paid by the Treasurer from the owners and occupiers of irrigated properties. Subclause (2) preserves the right of existing growers to elect not to be part of the Scheme by not applying for a risk management allocation and not increasing their water allocation above existing levels.

Clause 49: Adjustment of contributions

Clause 49 provides for adjustment of contributions when actual quantities of water used for irrigation are used.

Clause 50: Payment in respect of the unauthorised use of water

Clause 50 provides for payment in respect of the use of water which is unauthorised by a risk management allocation.

Clause 51: Computing overuse of water

Clause 51 explains that the quantities of water used will be averaged over 3 years to determine if water has been overused.

Clause 52: Rules for computing water used where certificate of zero impact applies

Clause 52 sets out the benefits of a certificate of zero impact.

Clause 53: Dry year declarations

Clause 53 provides for the notional reduction in the quantities of water used for irrigation where the recharge to the ground water mound and the water above the Blanchetown Clay is reduced because of a dry year or for any other reason.

Clause 54: Irrigation declarations

Clause 54 requires the owners of properties to which a risk management allocation is attached to provide the Trust with an annual irrigation declaration in accordance with the regulations.

DIVISION 2—RECOVERY OF MONEY FROM OWNERS AND OCCUPIERS

Clause 55: Liability to pay Minister

Clause 55 specifies the people who are liable to pay to the Minister contributions towards the cost of the Scheme.

Clause 56: Notice to persons liable of amount payable

Clause 56 provides for the service of notices on the persons primarily liable to contribute of the amounts payable.

Clause 57: Interest

Clause 57 provides for interest on unpaid contributions.

Clause 58: Amount first charge on land

Clause 58 provides that an amount unpaid under this Part is a first charge on the land.

Clause 59: Sale of land for non-payment

Clause 59 provides for the sale of land to recover an amount owing.

Clause 60: Money recovered to be paid to Treasurer

Clause 60 requires the Minister to pay money recovered to the Treasurer.

PART 8 WELLS

Clause 61: Activities relating to wells

Clause 61 prohibits certain activities in relation to wells in the Scheme Area without a permit granted by the Trust. The provisions of this clause and the other clauses of Part 8 mirror the provisions of the *Water Resources Act 1997* which they replace in the Scheme Area.

Clause 62: Permits

Clause 62 provides for permits under this Part.

Clause 63: Defences

Clause 63 sets out defences to an offence under clause 61. Paragraph (a) enables pre-existing use of wells to continue.

Clause 64: Notice to rectify unauthorised activity

Clause 64 enables the Trust to require a person who has undertaken an activity in contravention of clause 61 to rectify the effects of the activity. If the person fails to do so the Trust may take the necessary action and recover the costs from the person at fault.

Clause 65: Right of appeal

Clause 65 gives a right of appeal against the refusal of an application for a permit or against the conditions imposed on a permit or against the variation or revocation of a permit.

PART 9

OPERATION OF THE WATER RESOURCES ACT 1997 IN THE SCHEME AREA

Clause 66: Exclusion of section 9(3) of the Water Resources Act 1997

Clause 66 excludes the operation of the *Water Resources Act 1997* in relation to the need to hold a permit to undertake activities in relation to wells in the Scheme Area. Part 8 of the Bill will provide for the permits.

Clause 67: Problem of disposal of water not to be considered on application for water licence etc.

Clause 67 provides that the Minister under the *Water Resources Act 1997* should not consider the problem of disposal of water on an application for an increased water allocation in relation to land to which a risk management allocation is attached. The reason is that Scheme will provide adequately for the problem of water disposal.

Clause 68: Lower levy for certain irrigated properties

Clause 68 requires a lower levy under the *Water Resources Act 1997* to recognise the benefits provided by the Scheme under this Bill.

Clause 69: Scheme to be acknowledged in applications under section 140 of the Water Resources Act 1997

Clause 69 provides that where the River Murray Catchment Water Management Board is considering an application for a refund under section 140 of the *Water Resources Act 1997* it must regard the Scheme as a land management practice adopted by the applicant if a risk management application is attached to the applicant's land.

PART 10

MISCELLANEOUS

Clause 70: Inspection of infrastructure etc. by Minister

Clause 70 provides for inspection of the Scheme infrastructure by the Minister.

Clause 71: Entry onto land

Clause 71 enables a landowner to inform the Minister and the Trust of procedures to be followed when entering his or her land to avoid the spread of disease. A person entering land under the Bill who has notice of the procedures in accordance with this clause must follow them.

Clause 72: Property in water

Clause 72 provides that water that is in the Scheme infrastructure is the property of the Trust.

Clause 73: Measurement of water usage

Clause 73 provides for the measurement of water used to irrigate land.

Clause 74: Testing of meters

Clause 74 provides for the testing of meters.

Clause 75: Estimation by Trust of water usage

Clause 75 enables the Trust to estimate the quantity of water used to irrigate land if the quantity is unknown.

Clause 76: Owners and occupiers of land to provide information
Clause 76 enables the Trust to require an owner or occupier of land to provide it with information for the purposes of the Bill.

Clause 77: False or misleading information

Clause 77 makes it an offence to provide false or misleading information under the Bill.

Clause 78: Service of notices

Clause 78 provides for the service of notices.

Clause 79: Expiry of Act

Clause 79 provides that the Act will expire at the end of the 2029/2030 contribution year.

Clause 80: Regulations

Clause 80 provides for the making of regulations.

SCHEDULE 1

The Scheme Area

Schedule 1 is a map of the Scheme Area.

SCHEDULE 2

Waterlogging and Salinity Risk Management Allocations

Schedule 2 sets out the risk management allocations that the holders of the water licences set out in the right hand column are entitled to apply for.

SCHEDULE 3

Classes of well in relation to which a permit is not required

Schedule 3 sets out the classes of wells in relation to which a permit is not required under Part 8.

SCHEDULE 4

Transitional Provisions and Amendment of Other Acts

Schedule 4 sets out transitional provisions and makes a consequential change to the *Irrigation Act 1994*.

Mr HILL secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION (APPEALS) AMENDMENT BILL

Second reading.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I move:

That this bill be now read a second time.

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

Leave granted.

This Bill amends the Criminal Law Consolidation Act to give the Director of Public Prosecutions a right of appeal against a decision by a Judge to acquit a person charged with a serious offence. The Bill is consistent with Government policy as set out in the Community Safety Policy. The reform is aimed at ensuring that serious errors by a judge do not allow an alleged offender to escape justice.

The proposed amendment was first introduced into Parliament in 1995. It was a blow to victims of serious offences when the Opposition and the Democrats refused to pass the amendment. Accordingly, the Government introduced a Bill containing the amendment at the beginning of 1998, and reintroduced the Bill in October 1998. On both occasions, the Bill had not progressed past the second reading stage when Parliament was prorogued.

Under amendments to the *Juries Act 1927* enacted by the Labor Government in 1984, an accused person has a right to elect to be tried for a criminal offence by a Judge sitting alone. The amendment was in response to the recommendation of the Mitchell Committee that a person accused of an indictable offence should be able to opt for a trial without a jury just as a person accused of a minor indictable offence could opt by choosing to have the matter dealt with by a Magistrate.

Recent figures obtained from the Office of Crime Statistics indicate that in 1995, there were 21 trials by judge alone, of which 7 resulted in acquittal. In 1996, there were 27 trials by judge alone, of which 6 resulted in acquittal. In 1997, there were 28 trials by judge alone, of which 9 resulted in acquittal. These figures suggest that the number of trials by Judge sitting alone is increasing.

There continues to be concern about judgements made and directions given by the Courts. The fact that a Judge has made a mistake does not mean that the mistake should not be rectified. In Magistrates Courts where the decision to acquit is made by one person, the Magistrate, the Crown has a right of appeal. Where a person elects to be tried by Judge alone, no matter how wrong an acquittal may be on the evidence, a decision by one person means

that an accused person goes free. To provide the Crown with a right of appeal against a decision by a Judge to acquit an offender will provide an important check on the Judge's decision.

The High Court has made it clear in *Davern v Messel* that there is no principle precluding an appeal from an acquittal in Australia. All that is involved is the common law principle which Parliament will, in the absence of unambiguous provision to the contrary, be presumed as a matter of statutory interpretation to have observed.

The Crown has had a right of appeal against acquittal under the Canadian Criminal Code on a question of law alone for almost a century. The Supreme Court of Canada, in *R v Morgentaler, Smoling and Scott* has said that the provision does not offend the provision of the Canadian Charter of Rights dealing with double jeopardy protection. Similarly the Canadian Courts have held that an appeal on questions of fact does not violate the constitutional protection against double jeopardy, for example in *R v Century 21 Ramos Realty Inc and Ramos*.

This Bill provides that the Court, on hearing an appeal against acquittal by judge alone, can dismiss the appeal or allow the appeal and order a new trial. The new provisions will only apply to proceedings in relation to an offence allegedly committed after the amendments come into operation.

I commend this Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 352—Right of appeal in criminal cases

This clause proposes to amend section 352 of the principal Act to allow the DPP (with the leave of the Full Court of the Supreme Court) to appeal against the acquittal of a person tried on information by a judge sitting alone.

Clause 3: Amendment of s. 353—Determination of appeals in ordinary cases

This clause amends section 353 of the principal Act to deal with an appeal against acquittal.

Proposed subsection (2a) provides that, on an appeal against acquittal, the Full Court may dismiss the appeal or allow the appeal and direct a new trial and may make any consequential or ancillary orders.

Clause 4: Transitional provision

This clause provides that the proposed amendments only apply to proceedings relating to offences committed after the commencement of the measure.

Mr ATKINSON secured the adjournment of the debate.

YOUNG OFFENDERS (PUBLICATION OF INFORMATION) AMENDMENT BILL

Second reading.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I move:

That this bill be now read a second time.

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

Leave granted.

This Bill will amend section 13 of the *Young Offenders Act* (the Act) to allow the Youth Court to permit, in limited circumstances, the publication of particulars that would otherwise be suppressed under that section.

There are currently two provisions in the Act dealing with suppression of a young offenders identity, and other related information. Section 13 of the Act provides that a person must not publish a report of any action taken against a youth by a police officer or family conference if that report identifies, or tends to identify, the youth, victim, or other person to the action or proceeding. The section also provides that a person employed in the administration of the Act must not divulge information about a youth against whom any action or proceedings have been taken except for official purposes. Section 63C of the Act provides that the a person must not publish a report of proceedings in which a youth is alleged to have committed an offence if the court prohibits the publication of the report, or the report identifies, or tends to identify, the alleged young offender or any other youth involved in the proceedings, as a witness or a party.

The identity of the victim or another person (not being the young offender) involved in the action by the police officer or family conference can be published with the consent of that person. In addition, publication of particulars otherwise suppressed under section 63C of the Act may be permitted by the Court on such conditions as it thinks fit. The only area where publication of certain particulars is not permitted under any circumstances is in relation to the identity of a young offender dealt with by police caution or family conference.

A few years ago, a situation arose in which a person proposed to make a documentary on juvenile justice matters. As part of the project, it was anticipated that a young offender, whose identity was suppressed under section 13, would be identified. The youth, the youth's guardians, and the Youth Court were all in agreement that it was appropriate for the youth to be identified in the documentary about the juvenile justice system. However, despite these parties agreeing to the publication, the legislation, without any scope for exception, prohibited the publication of the youth's identity.

It is important that, as a general rule, a young offender's identity be suppressed, particularly young offenders dealt with by police caution or family conference. Young offenders dealt with by police caution or family conference will have committed offences of a relatively minor nature, and generally will not be habitual offenders. Also, the overwhelming majority of these young people do not offend again. Others may re-offend on a number of occasions but subsequently grow out of it. To publicly label such young people as criminals by identifying them may have a detrimental effect on their ability to integrate into the community. However, having said this, if there is general agreement by a youth, the youth's guardian, and the Youth Court that in all the circumstances it is appropriate for the youth to be identified there should be some scope in the legislation to allow this to occur. Currently, there is no scope in the legislation.

As a consequence, this Bill will grant limited scope for the identity of a young offender, which is otherwise suppressed under section 13, to be published in a documentary or a report for an educational or research project about the juvenile justice system. An application will need to be made by the person proposing to make the documentary or undertake the educational or research project to the Youth Court. The application must be endorsed with the written consent of the youth and a guardian of the youth. The Youth Court will be able to permit the publication, but must give paramount consideration to the welfare of the youth, and must take into account the impact of the publication on the youth, the purpose and necessity of the publication, considerations of public interest, and other matters of relevance. Where the Youth Court grants an order permitting publication of the report, there will be two mandatory conditions of the order. Firstly, it will be a condition of the order that the youth and consenting guardian have a reasonable opportunity to view the documentary or project after its completion but before its release to the public. Secondly, it will be a condition of an order that, if the documentary or project is viewed by the youth and guardian, it must not be released to the public until at least 30 days after that viewing. Of course, the Youth Court may also include any other conditions that it thinks fit.

The Bill will also introduce a procedure to allow a youth or consenting guardian to apply, on certain grounds, to the Youth Court for revocation or variation of an order made under section 13 at any time before the release of the documentary or project to the public. The youth or consenting guardian will need to show that, either,

1. the report to be included in the documentary or project is not a fair report of the proceedings and the release to the public of the documentary or project while it contains that report would prejudice the welfare of the youth; or
2. the report to be included in the documentary or project includes material not in the contemplation of the Court at the time the order was made, and the release to the public of the documentary or project while it contains that report would prejudice the welfare of the youth.

Where such an application is made, public release of the documentary or project while it includes the report will be restricted until the application has been determined. Public release will be taken to occur when it is released for viewing by persons other than those involved in the making or undertaking of it. After determining the application, the Youth Court will be in a position to revoke the original order, vary or revoke conditions of the order, refuse the application, and make any ancillary orders it thinks fit.

It is not anticipated that this provision will be widely used. Its limited scope and tight criteria mean that the provision will only have limited application. However, it is still important that the legislation

be flexible to allow persons meeting specified criteria to publish otherwise suppressed information.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 13—Limitation on publicity

Clause 3 amends section 13 of the principal Act which currently restricts the publishing of action or proceedings taken against a youth by a police officer or family conference under Part 2 of the principal Act. New subsections (1a) to (1f) are inserted.

New subsection (1a) provides for an exception to the restriction by allowing a person who proposes to make a documentary or undertake an educational or research project about juvenile justice matters, to apply to the Youth Court for permission to publish a report of proceedings relating to a youth that would otherwise be suppressed under subsection (1).

New subsection (1b) requires the consent of the youth and one of his or her guardians to an application under subsection (1a).

New subsection (1c) requires the Court to give reasonable notice of the hearing of the application to the applicant, the youth, the guardians of the youth and such other persons as the Court believes have a proper interest in the matter.

New subsection (1d) provides that the Court is not required (despite subsection (1c)) to give notice of the hearing to a person whose whereabouts cannot, after reasonable enquiries, be ascertained.

New subsection (1e) provides for the matters that the Court must take into account in determining an application under subsection (1) and provides that the welfare of the youth is to be the paramount consideration.

New subsection (1f) provides that the Court may make an order permitting the publication of the report (on certain conditions), an order refusing the application or any ancillary order it thinks fit (including an order as to costs). An order permitting publication must be subject to the condition that the youth and consenting guardian must be allowed to view the completed documentary or project before it is released to the public.

New subsection (1g) allows the youth or consenting guardian to apply to the Court for revocation or variation of the Court order, at any time before the public release of the documentary or project, on the ground that the report is not a fair report of the relevant proceedings or that it contains new material and that release to the public of the documentary or project would prejudice the welfare of the youth.

New subsection (1h) provides that an application under (1g) operates to stay the release of the documentary or project while it contains the identifying report.

New subsection (1i) sets out who must be served with notice of the hearing of an application under subsection (1g).

New subsection (1j) sets out the orders the Youth Court may make in determining such an application.

Subsection (2) is amended by allowing a person employed in the administration of the Act to divulge information for the purposes of a publication permitted by an order under subsection (1f)(a).

Clause 3 further amends section 13 by providing in subsection (3) that it is an offence to be in breach of any condition imposed on the publication of a report pursuant to subsection (1f) or (1j).

A new subsection (5) is inserted that provides a definition of 'released to the public' in relation to a documentary or project.

Mr ATKINSON secured the adjournment of the debate.

SUPERANNUATION (MISCELLANEOUS) AMENDMENT BILL

Second reading.

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

This that this bill be now read a second time.

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

Leave granted.

This Bill seeks to make a number of amendments to the *Superannuation Act 1988*, which establishes and maintains the two defined benefit schemes for government employees. The amendments deal

with some technical issues and matters that are designed to simplify the administration of the schemes.

One of the proposed package of amendments deals with issues relating to arrangements that have been entered into between the South Australian Superannuation Board and an instrumentality or agency of the Crown, for the purposes of providing eligibility for membership of the schemes. These arrangements are entered into in terms of Section 5 of the Act. The proposed amendments seek to expand the current provisions to deal with the issues that need to be considered and addressed before an employer can terminate an arrangement. Whilst the current provisions provide for the termination of an arrangement by an employer, the Act is silent on the matters that need to be addressed. The amendments will also make it clear that an arrangement can be modified from time to time. Modification of an arrangement is sometimes necessary to reflect changes, for example in matters like terms and conditions of employment. The expanded provisions will also deal with the situation where an instrumentality or agency ceases to be a body of the Crown.

In terms of the new provisions, an arrangement will not be able to be terminated by an employer before a majority of the members covered by the arrangement support the termination. Whilst this has been the case where a termination has occurred up until now, the Superannuation Board and the Government believe this should be made a legislative requirement. This will ensure that full consultation occurs on the matter of superannuation in such circumstances. The new provisions will also require the Superannuation Board to obtain an actuarial valuation before an arrangement is terminated to ensure that adequate financial provision has been made to support the accrued benefit liabilities. In the situation where a body ceases to be an instrumentality or agency of the Crown, the proposed provisions will provide for the Minister to inform the Superannuation Board that the accrual of further benefits will terminate on the basis that the employees will no longer be employees of the Crown. The new provisions also specify the terms and conditions relating to the accrued benefits where there is either a termination of an arrangement by an employer, and in the situation where the employing body ceases to be an instrumentality or agency of the Crown. Members will be able to either preserve their accrued benefits or roll them over to another scheme if they are under the age of retirement. Persons over the age of 60 years will be able to take their accrued benefit as though they had retired from employment.

The proposed amendments dealing with arrangements under Section 5 of the Act will provide greater clarity for employers in relation to their rights and obligations, together with greater clarity for employees.

The Act currently provides that where a person in receipt of a invalidity pension is on medical grounds considered to be capable of being gainfully employed, the person remains in receipt of the pension unless Government employment is made available to the individual. The Bill seeks to amend the Act to provide an additional option to recipients who are considered capable of being gainfully employed. The Government wishes to make it clear that the new provision complements rather than replaces the current provisions enabling an offer of employment to be made to an invalid pensioner. The new alternative will provide the ability for the former government employee to exchange their pension entitlement under the scheme for a lump sum. It is considered that in some situations former employees may prefer to be paid a lump sum that could be used in the pursuit of employment that the Government has been unable to provide, or for assisting in the establishment of a business. The lump sum to be paid in such circumstances will be based on a commutation of the pension that would have been accrued in the scheme up to the date of accepting the payout. To protect any person with only a short period of membership, the proposed amendment establishes a minimum lump sum that must be paid to a member who accepts an offer under the proposed provision. The minimum will be an amount equivalent to three times the amount of the annual invalidity pension being paid to the member. Whilst it is unknown how many offers will be made under this provision, the Government is aware that a number of persons have sought the introduction of this option. It is expected that the Superannuation Board will be ensuring that before persons take up one of these offers, financial advice be provided.

An amendment is also proposed which will cease the current requirement of the Superannuation Board to maintain a member contribution account for each contributor pensioner after they have retired on account of age, and during the period in which they and any future beneficiaries are paid a pension. The previous reasoning

behind maintaining the contribution account was to ensure that each contributory member and his or her prescribed beneficiaries under the scheme, receive in total an amount of no less than the balance of member contributions paid into the scheme, together with interest. The fact is it is very rare for a refund to be made to a deceased contributor pensioner's estate in accordance with this accounting procedure. It will generally only occur where the person dies within a short period after retirement and without a spouse or dependent child entitled to a benefit. In the circumstances, significant administrative efficiencies can be created by replacing the current accounting requirement with a system that guarantees pension payments for a minimum length of time.

The amendment proposed in the Bill provides that where a person becomes entitled to a pension, a guaranteed amount of benefit must be paid from the scheme. The proposal is that each retiree must receive an amount equivalent to 4.5 years of pension, or a combination of 4.5 years of pension paid to a retiree, spouse and eligible child. Where a person commutes pension to a lump sum, the guaranteed term for pension payments would be proportionately reduced, to take account of the fact that commutation 'brings forward' benefit payments. Actuarial calculations show that under the employer/employee cost sharing arrangements of the pension scheme, all members would receive the balance of their contribution account back within a period of 4.5 years. The proposed amendment will enable significant simplification of the accounting and administration procedures, without disadvantaging any person. Estimates are that about once in every 5 years, a deceased member's estate will benefit to a small extent by this new provision.

The amendments being made to Section 45 of the Act are intended to provide clarity to the existing provisions under which a person's invalidity or retrenchment pension can be reduced due to earnings from remunerative activities engaged in by the pensioner. The Superannuation Board has always applied the 'income from remunerative activities' provisions of Section 45 in such a way that has been fair to the person in receipt of the pension. Specifically this has meant assuming that a person's earnings during a financial year were earned at an even rate over the whole financial year. This has assisted the rehabilitation of invalids by not penalising them in situations where they have had short periods of employment involving two or more days work a week. The Superannuation Board has implemented this policy by applying a financial year basis to the words 'particular period' in the current provisions of the Act. The Crown Solicitor has advised that if the Superannuation Board uses a financial year as the period over which remunerative income is measured, then the provisions of the Act should be amended to more appropriately reflect this policy position. On the basis that the Superannuation Board has always applied a financial year earnings test to invalid and retrenchment pensions, the Bill proposes that the amendment to Section 45 be made retrospective to the commencement of the Act. No pensioner will be affected by this proposal nor the retrospectivity of the provision's commencement.

The other amendments being proposed in the Bill deal with technical issues which have emerged in the administration of the Act. For example, the amendments being made to Section 34 of the Act which sets out the formulas for calculating retirement pensions, are being made to ensure that persons who have resigned and preserved an accrued pension do not become entitled to windfall gains through having a shorter period of membership. Other amendments clarify existing provisions, ensure consistency between similar provisions, or enhance the general administration of the Act.

The Australian Education Union, the Public Service Association and the South Australian Superannuation Board have been fully consulted in relation to these amendments. All these bodies have indicated their support for the proposed amendments.

I commend this Bill to Honourable Members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the commencement of the Bill. As already stated, clause 11 which amends section 45 of the principal Act will be taken to have come into operation when the principal Act came into operation.

Clause 3: Amendment of s. 5—Superannuation arrangements

This clause amends section 5 of the principal Act in relation to arrangements between the South Australian Superannuation Board and employers in the manner already discussed.

Clause 4: Amendment of s. 20B—Payment of benefits

This clause amends section 20B of the principal Act. This amendment is consequential on the amendments made by clauses 9 and 10.

Clause 5: Amendment of s. 21—Reports

This clause replaces paragraph (b) of subsection (4) of section 21 of the principal Act. The new wording focuses on the issue that is important in this context—the proportion of future benefits that will be able to be met from the Fund.

Clause 6: Amendment of s. 34—Retirement

Paragraph (b) of this clause makes a technical amendment to section 34. Paragraph (a) is consequential on the amendment made by paragraph (b).

Clause 7: Amendment of s. 39—Resignation and preservation of benefits

This clause makes technical amendments to section 39 of the principal Act.

Clause 8: Insertion of s. 42A

This clause inserts new section 42A which enables the Board to offer a lump sum payment to an invalid pensioner in full satisfaction of the pensioner's entitlement to remaining pension payments. The pensioner is free to accept or refuse the offer.

Clause 9: Substitution of s. 43A

This clause replaces section 43A of the principal Act. Under the existing provision the proportion of a pension or lump sum to be charged against the contributor's contribution account is fixed by regulation. Under the new provision the proportion will be equivalent to the proportion of future benefits that can be met from the South Australian Superannuation Fund.

Clause 10: Insertion of s. 43AA

This clause inserts a new section that enables the Board to close a contributor's contribution account in certain circumstances.

Clause 11: Amendment of s. 45—Effect of workers compensation, etc., on pensions

This clause makes amendments to section 45 already discussed.

Clause 12: Amendment of s. 48—Repayment of contribution account balance and minimum benefits

This clause amends section 48 of the principal Act. This amendment will save the administrative cost of maintaining contribution accounts in respect of contributors whose employment has terminated.

Mr ATKINSON secured the adjournment of the debate.

SUMMARY OFFENCES (SEARCHES) AMENDMENT BILL

Second reading.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I move:

That this bill be now read a second time.

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

Leave granted.

At common law the police are permitted to search a person following arrest. The degree of intrusion must be reasonable and in pursuit of a valid objective such as safety. In South Australia, the common law applies in conjunction with section 81 of the *Summary Offences Act*.

The legislation provides that the search may be conducted (this states the common law), that it may be conducted by a member of the police force or a medical practitioner acting on the request of a police officer, and that anything found on the person may be taken. The common law operates to fill the gaps in the legislation; that is, it indicates that the search must be reasonable, and provides an indication as to the grounds justifying the conduct of a search.

The common law does not, however, make detailed provisions for the method of a search, nor does it deal with matters ancillary to a search. This lack of guidance is a characteristic of the common law system, but that is of little comfort to both police and those subject to a search, particularly searches which, although legally proper, may be embarrassing or humiliating. Moreover, it is inevitable that conflicts will arise between the searchers and those searched about the propriety of what occurred at that time. The object of this Bill is, therefore, not to state or alter the grounds upon which a search may be conducted, but rather to supplement the common law by making detailed provisions for how the powers conferred by law may be carried out. I stress that the object of the Bill is to provide protection for both the police and those searched. It is in the interests of both

parties, and the criminal justice system generally, that any disputes be quickly and authoritatively determined.

The amendments contained in this Bill can be encapsulated under three headings;

1. General Principles to observe in search and seizure
2. Intrusive Search Procedures
3. Intimate Search Procedures

I will explain all three elements of this Bill in turn.

General Principles To Observe In Search And Seizure.

It is obvious that a police procedure, such as a body search or forensic procedure, must be carried out humanely and with care so as to avoid, as far as practicable, offending genuinely held cultural values and religious beliefs. Also, the procedure should be carried out in a way that avoids the infliction of unnecessary physical harm, humiliation, or embarrassment on the particular person. Possibly not as obvious as the previous general principles, but still important, a procedure should be carried out in the presence of no more people than necessary, and, in most circumstances, only by a person of the same sex as the detainee.

These principles were included in section 10 of the *Criminal Law (Forensic Procedures) Act*, which was debated in Parliament last year. While it is acknowledged that police do observe these general principles in conducting procedures under section 81, this Bill provides Parliament with an opportunity to make it clear that it believes that these principles are important.

Intrusive Procedures

At common law, it is the duty of a police officer to take all reasonable measures to ensure that a prisoner does not escape or assist others to do so, does not injure him or herself or others, does not destroy or dispose of evidence and does not commit further crime such as malicious damage to property. The common law also indicates that the measures that are reasonable in the discharge of this duty will depend on the likelihood that the particular prisoner will do any of these things unless prevented. Therefore, on the basis of these principles, in South Australia there is authority to conduct an intrusive search, where circumstances justify. Again, there is no suggestion that the police have been inappropriately exercising the power to conduct an intrusive search.

The *Summary Offences Act* gives some scope for a medical practitioner to conduct a search of a person. The Act provides that the medical practitioner may search a person in lawful custody at the request of a member of the police force in charge of a police station. However, the legislation does not provide that only a medical practitioner or other suitably qualified person can conduct an intrusive search. This restriction currently appears in the Police standing orders. The standing orders provide that only a medical practitioner may conduct an internal examination (being an anal or vaginal search, according to the standing orders).

The Government believes that it would be appropriate to specify in the legislation who may appropriately conduct an internal search of any bodily orifice. The Government believes that the restriction on who may conduct an intrusive search is so fundamental that the restriction should be expressly stated in the legislation.

Based on the precedent provided by the forensic procedures legislation, it is clear that only a medical practitioner or a registered nurse should be eligible to conduct an intrusive search. The Bill will insert a provision in section 81 of the Act to make this clear.

Intimate Procedures

In accordance with section 81 of the Act and the common law, the Police, when it is reasonable to do so, will be authorised to carry out an intimate search. In accordance with the general principles to be observed when conducting a body search, the intimate search will be carried out only in the presence of the persons necessary for the purpose of the search. While an intimate intrusive search (i.e. intrusive search of the rectum or vagina) will of necessity have an independent third party present during the search, only the person being searched and the police officers conducting the search will be present during a strip search.

The lack of a third party being present has been identified as a potential problem in relation to strip searches. If a complaint is subsequently made in relation to a strip search there will, almost always, be two non-independent and diametrically opposed accounts of the event; one account by the police and one account by the accused. This makes investigation, and ultimate resolution of a complaint difficult. The investigation of the complaint is made significantly more problematic if the detainee was intoxicated or drug affected at the time. The Government believes that this is not an appropriate situation given that the best safeguard against impropri-

ety or allegation of impropriety is by independent review and conclusive determination of complaints.

The increasing availability of affordable technology provides an opportunity to overcome this problem. Video recording a strip search has benefits in that it ensures that undue humiliation or embarrassment is not caused to the detainee through the presence of an increased number of people to view the search. Yet, it also provides an independent record of the search if a complaint is subsequently made. Unless a complaint is subsequently made, the video recording does not need to be replayed, and provided that all recordings are kept under tight security, there should be no question of an undue infringement of a person's privacy.

To date, the Police have been able to video record strip searches when the consent of the detainee is given. There can be no question about the legality of a video recording where the detainee consents. However, it is not always possible to obtain the detainee's consent; not only on the grounds that the person refuses to give his or her consent, but that the detainee does not have the capacity to give consent at the time because he or she is under the influence of alcohol or drugs.

It is important to resolve one way or another allegations of misconduct by police where a person is in custody. Video recording is the only real hope of achieving that when an independent third party is not present. I note that, when commenting on current police use of video recording, the Police Complaints Authority advised that from his point of view, the significant benefit of video recording strip searches is that it is very much easier to resolve, one way or another, complaints alleging misconduct in the course of a strip search.

It is unlikely that, without Parliament's sanction, the police would be able to video record a strip search without first obtaining the consent of the detainee. As a result, only in limited cases will independent evidence be available to assist the Police Complaints Authority in resolving a complaint about the conduct of the search, or a court in trying to determine the admissibility of evidence. This leaves us with the undesirable situation that, if a complaint is subsequently made, an allegation of impropriety against the police may remain unresolved due to the lack of independent evidence.

To resolve this shortcoming, the Government proposes to amend section 81 to require the police to video record all intimate searches. The video recording procedures in the Bill are largely based on the provisions relating to the recording of interviews with suspects in section 74D of the Act. In general terms, the Bill, in so far as it deals with the video recording of intimate searches, adopts the following policies:

- 1 Intimate searches must be video recorded where reasonably practicable, unless it is an intimate intrusive search and the detainee objects to the recording.
- 2 The police must explain why the search is being recorded and the detainee's right to object to the recording.
- 3 If the search is not video recorded in accordance with the legislation, there is a procedure whereby a written record of the search is made at the time of the search and a video recording is made of that record being read to the detainee.
- 4 The detainee is given rights to watch the recording and obtain a copy of the recording, and the police have obligations to inform the detainee of these rights and facilitate the detainee's exercise of these rights.
- 5 All video recordings and written records of intimate searches must be destroyed when the records are no longer required for a purpose specified in the legislation. A court or tribunal is also given power to order the destruction of the material at an earlier date.
- 6 The Bill allows the Governor to make regulations about the storage, control, movement and destruction of the video recordings and other documentation aimed at ensuring that the power to record the intimate searches is not abused by inappropriate handling of the obtained material.
- 7 There is a general prohibition on playing a videorecording made under the provision to another person except in limited circumstances. The video tape may be played by the detainee as he or she desires. However, other than the detainee, the video recording may only be played for the purposes related to the investigation of an offence or alleged misconduct to which the person reasonably believes the recording may be relevant, or for the purpose of legal proceedings to which the recording is relevant. It will be an offence to contravene this provision. The benefit of this provision is that it makes it clear on the face of the legislation that the playing of the recordings is restricted.

Given that the reason for the amendment is to ensure that independent evidence of the search is available, generally there will be no grounds for refusing the video recording. There will, however, be one exception to this general principle. When an intimate intrusive search is to be conducted on the detainee, according to the Bill, a medical practitioner or registered nurse must carry out the search; or in other words, an independent third party will be present. As such, the justification for recording the search is not as strong as in relation to strip searches because the Police Complaints Authority will have access to independent evidence. Therefore, the Bill provides that the detainee may object to the video recording of the portion of a search involving an intimate intrusive search conducted by a medical practitioner or a registered nurse, and, if he or she objects, the search will not be recorded.

In providing that all intimate searches must be video recorded, the opportunity has arisen to also recognise a number of other rights that should be available to a detainee where possible. The authority of the police to search a person taken into lawful custody is just that, a power to search. There is currently no requirement that the police take steps to secure the attendance of a solicitor or adult relative or friend before conducting an intimate search of a minor. Nor is there a requirement that the police secure the attendance of an interpreter for a person not reasonably fluent in English before conducting an intimate search. The Bill will require the police to take action to obtain the presence of a suitable person before conducting an intimate search on a minor or a person not fluent in the English language, unless it is not reasonably practicable to do so in view of the urgency of the search.

Ultimately, the police power to search a person taken into lawful custody is a fundamental element of the arrest, or otherwise detention, of a person. This has been recognised in the common law and has been strongly supported by the Royal Commission into Aboriginal Deaths in Custody. However, it is important that this power be exercised properly, especially in relation to intimate searches, which is one of the most extreme exercises of police powers.

The Government does not believe that are problems in relation to the exercise of the police powers to body search, and therefore, it does not intend to alter the substantive search power. Yet, the Government does believe that it is an appropriate time to finetune police procedures relating to body searches. The Government believes that this Bill will make it clear what Parliament expects in the conduct of body searches, and will establish a mechanism for safeguarding against impropriety through ensuring that evidence is available to hold the police accountable for impropriety where necessary.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 81

Clause 3 amends section 81 of the principal Act. The current search provisions are restructured and extended with the effect of providing legislative parameters to the conduct of intimate and intrusive searches.

New subsection (1) sets out the general power to search a person and to take anything found as a result of that search.

New subsection (2) sets out who is to carry out a search, namely, a police officer, or a medical practitioner or registered nurse acting on the request of a police officer. However, in the case of an intrusive search (i.e. a search of any orifice), only such a doctor or nurse may carry out that search. Paragraph (b) provides that the person carrying out the search may use such force as is reasonably necessary for the purpose and may use the assistance of another person. Paragraph (c) allows a detainee to have a doctor or nurse of their own choice present during an intrusive search.

New subsection (3) sets out further requirements that must be complied with where an intimate search is carried out.

Paragraph (a) provides that a solicitor or adult relative or friend must be present if an intimate search is to be carried out on a minor. Paragraphs (b) and (c) provide for the entitlement to an interpreter before and during an intimate search of a person whose native language is not English and who is not reasonably fluent in English. However, an intimate search of a minor or non English speaking person may proceed in the absence of persons to whom the detainee would otherwise be entitled, if the search has to be conducted urgently. Paragraph (d) provides that an intimate search must be carried out by a person of the same sex as the detainee (unless it is

not practicable or the detainee requests otherwise). Paragraph (e) provides that, unless it is not practicable to do so, an intimate search must be recorded on videotape. However, the detainee may veto the video-recording of an intrusive search of the rectum or vagina. Paragraph (f) includes a requirement for a written statement to be given and read out to a detainee on whom an intimate search is about to be carried out, setting out matters related to the videotape recording of such a search. Paragraph (g) sets out the steps to be followed by a police officer if an intimate search, or that part of an intimate search consisting of an intimate intrusive search, is not to be recorded on videotape. The effect of this paragraph is to ensure that some record is kept of the search, and that the detainee has the opportunity to verify, or note errors in, the written record.

New subsection (3a) sets out the matters a police officer must take into consideration when deciding whether it is reasonably practicable to make a videotape recording under this section.

New subsections (3b), (3c) and (3d) provide for the detainee's rights of access to a videotape recording made under this section.

New subsection (3e) prohibits the playing of videotape recordings of intimate searches except for limited purposes relating to the investigation of offences or misconduct or to legal proceedings to which the recordings are relevant and provides for a maximum penalty of \$10 000 or imprisonment for 2 years for a breach of the provision.

New subsection (3f) provides for the destruction of a videotape recording or written record of a search made under the section if the Commissioner of Police is satisfied that it is not likely to be required for purposes referred to in subsection (3e), or if a court or tribunal so orders.

New subsection (3g) provides that the Governor's regulation-making power extends to the storage, control, movement or destruction of videotape recordings and other documentation made of intimate searches under this section.

New subsection (4g) introduces legislative guidelines as to the general conduct of all procedures (including searches) carried out under this section. (Section 81 also provides for the fingerprinting, photographing, etc., of detainees).

New subsection (6) defines the terms 'intimate intrusive search', 'intimate search', 'intrusive search', 'medical practitioner' and 'registered nurse'.

Clause 4—Amendment of Criminal Law (Forensic Procedures) Act 1998

This clause amends section 38(2) of the *Criminal Law (Forensic Procedures) Act 1998*. The substituted subsection includes a requirement for a written statement to be given and read out to a detainee on whom a forensic procedure is about to be carried out, setting out matters related to the video recording of such a procedure. The amendment is intended to achieve consistency with the equivalent provision relating to searches in clause 3(3)(f) of this Bill.

Mr ATKINSON secured the adjournment of the debate.

STATUTES AMENDMENT (CONSUMER AFFAIRS—PORTFOLIO) BILL

Second reading.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I move:

That this bill be now read a second time.

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

Leave granted.

This Bill proposes amendments to four statutes in the Consumer Affairs portfolio.

The Office of Consumer And Business Affairs (OCBA) recently examined legislation dealing with the following matters:

Commencement of prosecutions

The complex nature of recent investigations into breaches of the pyramid selling provisions under the *Fair Trading Act 1987* has revealed that the twelve month period allowed to instigate a prosecution under that Act is too short.

This Bill proposes amendments to the *Fair Trading Act 1987*, the *Land and Business (Sale and Conveyancing) Act 1994*, the *Prices Act 1948* and the *Trade Standards Act 1979* that are intended to help standardise the time limits for the instigation of prosecutions across the portfolio (and to bring those limits more into line with those applying to offences generally). In the case of most offences under

those Acts, a prosecution will now have to be commenced within two years of the date of the offence or, with the authority of the relevant Minister, within five years of that date.

Charging of a fee for the supply of information by the Department for Environment and Heritage to vendors of land Under the *Land and Business (Sale and Conveyancing) Act 1994* vendors of land are required to provide prospective purchasers with information held by Government agencies concerning interests in the subject property. Most of that information is provided to the vendor by the Department for Environment and Heritage which collates the information under the Land Information System (or LOTS) system.

This Bill empowers the Governor to fix the fees by regulation for the provision of that information by the Department.

Trade Standards Advisory Council

The Trade Standards Advisory Council is established under the *Trade Standards Act 1979*. The function of the Council is to advise and counsel the Minister on matters connected with the administration of the *Trade Standards Act*, the prescription of standards, the declaration of goods to be dangerous goods or the declaration of services to be dangerous.

Members of the Council are appointed by the Governor from nominations drawn from sources representing the wide range of interests affected by the Act. There are a number of ways in which nominations are made. In some cases, the Minister responsible for the administration of a particular Act nominates a member. In other cases, appointment is made from a panel of three nominees of either an association that the Minister considers represents a particular interest, or a specified body, such as the Chamber of Commerce and Industry and the Standards Association of Australia.

In recent times, there have been difficulties in obtaining nominations for the Council. For example, the Standards Association of Australia now only has a sales branch in South Australia, and therefore advised that it was unable to provide a nomination. Other organisations have had difficulty in providing the three nominations required by the Act. As a result, it has been difficult to constitute the Council.

To overcome this difficulty and to allow for the ongoing representation of the wide range of interests affected by the *Trades Standards Act*, as was envisaged when the Act was introduced, this Bill re-designates the composition of the Council by eliminating the naming of specific organisations and allowing for greater flexibility in the nomination process.

I commend this bill to honourable members.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

Clause 3: Interpretation

These clauses are formal.

PART 2

AMENDMENT OF FAIR TRADING ACT 1987

Clause 4: Amendment of s. 75—Offences against this Part

This clause amends section 75 of the *Fair Trading Act 1987*. That section currently provides that offences against Part 10 of that Act (other than against section 56 or 57) are minor indictable offences and fixes a penalty of \$100 000 in the case of a body corporate and \$20 000 in any other case. This amendment removes the requirement that these offences be regarded as minor indictable offences and leaves them to be dealt with as summary offences (as would normally be the case with offences that carry such a penalty).

Clause 5: Substitution of s. 87

This clause amends section 87 of the *Fair Trading Act 1987*. Section 87 currently requires that proceedings for any offence against the Act must be commenced within 12 months after the date of the offence. This amendment provides that in the case of summary offences against the Act for which an expiation fee is specified, proceedings must be commenced within the period required by the *Summary Procedures Act 1921* (which is 6 months from the date of the offence or, if an expiation notice is issued, 6 months from the expiry of the expiation period specified in the notice). In the case of summary offences against the Act for which no expiation fee is specified, the proceedings must be commenced within 2 years of the offence or, with the authorisation of the Minister, within 5 years of that date. In the case of indictable or minor indictable offences, no limitation is imposed.

Clause 6: Statute law revision amendments

This clause and Schedule 1 of the Bill make further amendments to the *Fair Trading Act 1987* of a statute law revision nature.

PART 3

AMENDMENT OF LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994

Clause 7: Amendment of s. 12—Councils, statutory authorities and prescribed bodies to provide information

This clause amends section 12 of the *Land and Business (Sale and Conveyancing) Act 1994*. Section 12 currently requires councils and statutory authorities to provide certain information within 8 business days after receiving a request under this section for that information. (The information is relevant to the preparation of vendors' statements for the purposes of the sale of land or a small business.) Section 12 also provides for fees to be fixed by regulation for the provision of that information. This amendment extends these provisions to bodies prescribed by regulation for the purposes of the section.

Clause 8: Amendment of s. 40—Prosecutions

This clause amends section 40 of the *Land and Business (Sale and Conveyancing) Act 1994*. Section 40 currently requires proceedings for any offence against the Act to be commenced within 2 years after the date of the offence or, with the authorisation of the Minister, within 5 years after that date. This amendment provides that in the case of summary offences for which an expiation fee is specified, proceedings must be commenced within the period required by the *Summary Procedure Act 1921* (which is 6 months from the date of the offence or, if an expiation notice is issued, 6 months from the end of the expiation period specified in the notice). In the case of a summary offence for which no expiation fee is specified, the proceedings must be commenced (as at present) within 2 years of the offence or, with the authorisation of the Minister, within 5 years of that date. In the case of indictable or minor indictable offences, no limitation is imposed.

Clause 9: Statute law revision amendments

This clause and Schedule 2 of the Bill make further amendments to the *Land and Business (Sale and Conveyancing) Act 1994* of a statute law revision nature.

PART 4

AMENDMENT OF PRICES ACT 1948

Clause 10: Substitution of s. 50A

This clause repeals section 50A of the *Prices Act 1948* and substitutes new section 50A. Section 50A currently provides that proceedings for an offence against the Act must be commenced within 12 months after the date of the offence. Proceedings cannot be commenced except by the Commissioner, a public service employee appointed by the Minister as an authorised officer for the purposes of the Act or a person authorised by the Minister to commence such proceedings. The Minister can, for the purpose of legal proceedings, provide certificates as to authorisations granted.

The new section 50A is to similar effect except in relation to the time limit for proceedings. In the case of summary offences for which an expiation fee is specified, proceedings must be commenced within the period specified by the *Summary Procedure Act 1921* (6 months from the date of the offence or, if an expiation notice has been issued, 6 months from the end of the expiation period specified in the notice). In the case of all other summary offences against the Act the period is 2 years from the date of the offence or, with the authorisation of the Minister, 5 years. In the case of indictable or minor indictable offences, no limitation is imposed.

Clause 11: Statute law revision amendments

This clause and Schedule 3 of the Bill make further amendments to the *Prices Act 1948* of a statute law revision nature.

PART 5

AMENDMENT OF TRADE STANDARDS ACT 1979

Clause 12: Amendment of s. 8—Establishment of Council

This clause amends section 8 of the *Trade Standards Act 1979*. Section 8 establishes the Trade Standards Advisory Council, providing that it is to consist of 6 members appointed by the Governor. Of these, 3 are appointed by the Governor from panels of 3 persons nominated by various organisations: one from a panel nominated by the Chamber of Commerce and Industry, South Australia, Incorporated, one from a panel nominated by associations that (in the opinion of the Minister) represent the interests of suppliers of goods, and one from a panel nominated by the Standards Association of Australia, South Australia Branch. (If no panel is provided, the Minister can nominate to fill the gap.) The amendment replaces the members nominated in this way with persons nominated by the Minister: one person who in the opinion of the Minister is an appropriate person to represent the interests of employers in commerce and industry, one who in the opinion of the Minister is an appropriate person to represent the interests of suppliers of goods and one who in the opinion of the Minister has appropriate experience

in the determination of standards of safety or quality in relation to the manufacture of goods or the supply of goods or services.

Clause 13: Substitution of s. 43

This clause repeals section 43 of the *Trade Standards Act 1979* and substitutes new section 43. Section 43 currently provides that proceedings for an offence against the Act cannot be commenced except by a public service employee who has been appointed as a standards officer under the Act by the Minister, or by the Minister. Proceedings must be commenced within 3 years of the date of the offence, or within 1 year of the day on which the offence came to the knowledge of the complainant or any standards officer, whichever period first expires. The new section 43 has similar restrictions on who can commence proceedings but changes the period within which proceedings may commence in the same way as for the 3 other Acts amended by this Bill. In the case of summary offences for which an expiation fee is specified, proceedings must be commenced within the period specified in the *Summary Procedure Act 1921* (6 months from the date of the offence or, if an expiation notice has been issued, 6 months from the end of the expiation period specified in the notice). In the case of all other summary offences against the Act, the period is 2 years from the date of the offence or, with the authorisation of the Minister, 5 years. In the case of indictable or minor indictable offences, no limitation is imposed. The Minister can, for the purposes of legal proceedings, provide certificates as to authorisations that have been granted.

Clause 14: Statute law revision amendments

This clause and Schedule 4 of the Bill make further amendments to the *Trade Standards Act 1979* of a statute law revision nature.

New section 35(2)(f) provides for the making of regulations to impose penalties of up to \$1 250 for the breach of regulations designed to prevent deceptive packaging made under that section. This mirrors the provision in section 33(2)(f), which authorises regulations imposing penalties for breach of regulations designed to prevent misleading information that are made under that section.

New section 45(4) imposes what is now a standard requirement that if a code is referred to or incorporated in the regulations under the Act, a copy of the code must be made available for inspection by the public without charge and during normal office hours. It also empowers the Minister to certify true copies of the code for the purposes of legal proceedings.

Mr ATKINSON secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC TRUSTEE AND TRUSTEE COMPANIES—GST) BILL

Adjourned debate on second reading.
(Continued from 24 May. Page 1184).

Mr ATKINSON (Spence): Section 45 of the Public Trustee Act allows the fees and charges of the Public Trustee to be fixed by regulation. These fees and charges may be expressed as maximums or minimums. Section 9 of the Trustee Companies Act fixes the commission that may be charged to an estate at 7.5 per cent of the income and 6 per cent of the capital value. Section 10 provides:

The administration fee for a perpetual trust cannot exceed one-twelfth of 1 per cent of the value of the trust as at the first business day of the month.

Section 15 provides that the management fee for common funds cannot be more than one-twelfth of 1 per cent of the value of the fund attributable to investment of the estate as at the first business day of the month. The federal Liberal government has introduced, with the cooperation of the Australian Democrats, a goods and services tax, which will be levied from 1 July. The intention of the government and the Australian Democrats is that the tax be borne by consumers, although it is levied on the service provider in this case, the Public Trustee and the trustee companies. In most cases, the retailer or service provider will pass on the cost of the GST to the consumer in the price. Because of the sections of the two state acts that I have just cited, the GST cannot be passed on. The bill before us allows the Public Trustee to

exceed the limit on its fees and charges to the extent necessary to recover the GST. The bill does the same for trustee companies in the three sections of their act. The opposition acquiesces in the bill.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the opposition for its support.

Mr CLARKE (Ross Smith): I rise not in opposition to the bill but to raise with the minister some concerns I have as a result of representations that have been made to me about the administration of the Public Trustee. The Public Trustee has copies of the correspondence to which I am about to refer, so this matter is not unknown to it. Recently, I received representations from a Mrs Valerie Robinson of Walkerville, who approached me concerning her late mother, Mrs Gladys Harrison, whose estate is administered by the Public Trustee. The litany of ham-fisted errors on the part of the Public Trustee in this instance beggars belief. Unless I can receive an assurance from the minister that the administration of estates by the Public Trustee will be improved, I will have some doubts as to whether, in fact, the Public Trustee would be able to administer the GST. Let me inform the minister of a few of these problems.

Mrs Robinson wrote a number of letters to the Public Trustee. I will not refer to them all but in a letter dated 3 February she asked for clarification of a number of statements that had been sent to her itemising certain accounts relating to her deceased mother's estate. The Guardianship Board was told that she and her brother would receive statements every three months. That did not happen. Twice in over 12 months Mrs Robinson has had to request financial statements and, when she received them, she found that they were wrong. In this letter of 3 February, she set out the following queries relating to a six-month period from 1 July 1999 to 31 December 1999. In relation to a telephone expense of \$200.05, she wrote:

Can you please explain how this amount has been paid, when the phone has been cut off for several months, and no-one is living in the house?

On page 3, under 'Chemists-medical items \$2 104.30', she wrote:

Can you please supply a detailed list for this amount. This is an extraordinarily high amount for a pensioner to have paid for six months. Even 12 months should not cost her this amount.

In relation to nursing home fees of \$4 169.51, she wrote:

For six months this is not realistic. By your own figures, she pays \$479.50 per fortnight to Kiandra, and receives \$371.90 pension per fortnight. By my calculation, this means she pays approximately \$7.70 extra per day over and above her pension. This figure multiplied by 365 days—a whole year, not six months—comes to \$2 810.50. Please tell me how you make it to be \$4 169.51—especially if this statement is for a six-month period.

In relation to gardening expenses of \$55 she wrote:

The only gardening done at No. 7 Cox Terrace [the deceased person's home] has been lawn mowing. I have not claimed money for this from you since early last year. None since 1 July 1999.

Mrs Robinson received a letter from the Public Trustee in which it was stated that the \$200.05 described as telephone expenses was, in fact, council rates for the City of Port Adelaide. It was also stated that the \$2 104.30, which was described as 'Chemist-medical items,' had been described incorrectly and that, in fact, it related to the payment of accommodation fees at Kiandra Nursing Home; and that the \$55 described as gardening expenses was, in fact, a bill for hairdressing. Then the Public Trustee set out a series of

expenses. There was another wrong statement: a \$30 payment which Mrs Robinson challenged was finally found to be in respect of a hearing test. In a letter from the Public Trustee to Mrs Robinson dated 15 March, it was stated that this expenditure related to an annual hearing aid service charge for the period 23 January 2000 to 21 January 2001. The letter states:

These payments are made in advance, and provide a service if required by your mother.

Mrs Robinson wrote back to the Public Trustee on 28 March regarding that item, as follows:

You state in your letter that a fee was paid in advance for annual hearing aid services. Wonderful—if my mother had a hearing aid, or the possibility of one because of hearing problems. My mother does not have nor has she ever had a hearing aid or hearing problems. Can you please explain how or why this expense has been incurred?

In addition, she was charged twice by the Public Trustee for capital commission of a couple of thousand dollars, which was an error by the Public Trustee and which is admitted by the Public Trustee. This error was picked up not by Mrs Robinson but by the Guardianship Board. That is an utter disgrace for a government department.

An apology has been sent from the Public Trustee's office to Mrs Robinson. The officer responsible for the foul-up has been removed, or moved sideways, and Mrs Robinson has been assigned a new officer who has, fortunately, provided her with an up-to-date statement which is legible and which she can understand. But what horrifies me is that it was only due to Mrs Robinson's persistence in examining these statements that the errors were detected. The statements with which she was provided are difficult to understand, and I could imagine a number of people out there receiving statements from the Public Trustee with this same litany of errors occurring and not picking them up because they find them too hard to fathom.

As it turns out, the money other than the capital charge (which I will return to in a moment) that was raised against her, except for the hearing aid test (which she did not need, because she does not have a hearing aid), was money drawn against her account, which looks as though it was properly expended except for the wrong items. But I find it extraordinarily incompetent for any person, such as the Public Trustee, in such a trusted position to describe a payment as being for a telephone account when it is subsequently found to relate to council rates, and this goes also for the other examples I have given. It does not engender a great sense of confidence, not only in me but in other members of the public, when such simple but far-reaching mistakes are made by the Public Trustee. That is not assisted, I might add, by a headline that appeared in the *Advertiser* (and, unfortunately, I do not have the date) which reads 'Banking Transfer Bungle Costs \$1 million'. A story by Leonie Mellor of the *Advertiser*, it states:

The state's taxpayers may have to foot the bill for more than \$1 million lost in an overseas bank account. The bungle meant the money transferred by the Public Trustee was sent to the wrong country. The beneficiary instructed the Public Trustee to send the funds to a Romanian bank account but incorrect information on the transfer form resulted in the money being deposited in a bank in Georgia, a former Soviet republic which is now independent, soon after the bank went into liquidation.

This matter was followed up in the annual report of the Auditor-General (Mr Ken MacPherson). How will the Public Trustee handle the GST? If it cannot administer the estate of one deceased lady amounting to a comparatively small

amount of money (some \$60 000), charges her for a hearing aid when she does not have a hearing aid and charges her estate twice for capital commission when the Public Trustee is entitled to it only once, how many other examples have there been of over-charging or mismanagement by the Public Trustee?

I am a strong supporter of public enterprises, but efficient public enterprises. The examples of mistakes which have been given to me by Mrs Robinson and which have been admitted by the Public Trustee in correspondence to Mrs Robinson in a series of letters dated 15 March 2000, 4 April 2000, and so on, leaves me feeling quite cold in terms of my confidence in the Public Trustee's being able to administer estates professionally. I hope that now that I have brought this matter to the minister's attention in the parliament—and whilst an apology has been issued to Mrs Robinson and the money that was incorrectly administered has been refunded—not only Mrs Robinson's estate but all estates being administered by the Public Trustee are given an assurance by the minister that proper administrative checks and balances within the Public Trustee are being put in place so that these types of scandalous mistakes do not occur to anyone's estate being administered by the Public Trustee.

It may seem a relatively small amount of money but it is important to that person and his or her family. Mrs Robinson should not have had to go through all that hiatus. When she receives a statement from a government department, she is entitled to expect that it is accurate and legible and that the accounts that have been paid are properly identified, and the like.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I have some sympathy with the comments made by the member for Ross Smith, although they do not directly relate to the legislation that we are debating. The honourable member's points are quite valid. Certainly the Public Trustee has put, or will be putting, in place all the necessary administrative procedures to try to minimise any errors in the future. As with any public or, indeed, private enterprise, if thousands of accounts are being handled occasionally errors will be made, but that does not excuse what has happened to the member for Ross Smith's constituent. I have some sympathy for the issues raised by the honourable member. I will certainly draw them to the attention of the appropriate minister in another place so that there can be some judgment about any improvements that need to be made. I thank the member for Spence for his support of the bill.

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

CORPORATIONS (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 23 May. Page 1138.)

Mr ATKINSON (Spence): Our constitution allocates to the states authority to make most laws about corporations and companies. Although the commonwealth parliament has authority under section 51 placitum (xx) of the constitution to make laws with respect to trading and financial corporations within the limits of the commonwealth, this has not enabled the commonwealth to cover the field of company law. The High Court ruled this way in 1990 in the incorporation case.

Owing to companies operating across state borders, the states have long recognised the desirability of uniform companies laws. That is why we have a cooperative scheme of legislation known as the Corporations Law. As part of this scheme, our Attorney-General represents South Australia on the Ministerial Council for Corporations, and we are a party to the corporations agreement. Under this agreement the government of a state must ask its parliament to enact bills that complement a commonwealth bill passed with the concurrence of the ministerial council.

This scheme has recently been tested in the High Court in the *Queen v. Hughes*, which was a challenge to the authority of the commonwealth Director of Public Prosecutions to prosecute breaches of the Corporations Law. Section 45 of the Corporations Law states that an offence against a provision of the state act is to be deemed an offence against the equivalent commonwealth provision.

Thus, the commonwealth DPP prosecutes for breach of the state act (in the case of *Hughes*, the Western Australian act). The prosecution was upheld on the grounds that the transactions the subject of the prosecution were partly overseas and therefore within the 'trade and commerce with other countries' head of commonwealth power. Although the prosecution was upheld, the reasoning of the court cast doubt on the validity of parts of the Corporations Law thought to be resting on commonwealth constitutional authority.

The court unanimously held that commonwealth agencies can enforce only those parts of the Corporations Law in state acts that might have been enacted by the commonwealth independently under one or more of the heads of power in the commonwealth constitution.

Prosecution of offences about the formation of companies and trusts, which do not rest on commonwealth authority, may not be able to be enforced by the commonwealth DPP. Even Mr Justice Kirby, a sophist in the service of commonwealth authority, said:

The proposition that serious and burdensome consequences of criminal proceedings may be sustained by reference to nothing more than the creation of the Office of the Commonwealth DPP and incidents thereto in the context of the joint cooperative scheme is highly doubtful.

Barwick-like, Justice Kirby described the result in the incorporation's case as 'narrow' and said that it would one day need to be revisited—presumably when he had the numbers. Whenever commonwealth legislation is found to be unconstitutional or its invalidity is foreshadowed by the High Court, the usual suspects complain that the commonwealth constitution is inadequate, and they suggest that a referendum be held to validate the commonwealth scheme or that the state parliaments refer the necessary powers to the commonwealth parliament. It was therefore no surprise to me to hear Dr George Winterton, senior lecturer in Constitutional Law at the Australian National university, moaning, as follows:

Hughes and *Wakim* demonstrate that the current High Court is likely to interpret the constitution in a more formalistic, literal manner with little regard to policy concerns.

What Dr Winterton means by 'policy' is the personal opinions of the Canberra-based lawyers and academics with whom he dines. The policy concerns of the rest of us are, in Dr Winterton's lexicon, redneck States-rights prejudices or, if one is university educated, eccentricities.

Commonwealth Attorney-General the Hon. Daryl Williams said the best way to achieve a more secure constitutional foundation is by an appropriate referral of power by the states to the commonwealth under section 51(xxxvii) of the

commonwealth constitution. One would have thought that, after almost a century of High Court judges serving the commonwealth ministers who appoint them in cases such as the engineers case, the uniform tax case and, more recently, *Ha* and *Hammond*, Dr Winterton and Mr Williams could be more gracious about the occasional adherence by the court to the plain meaning of the constitution. I was pleased to read that our Attorney-General, the Hon. K.T. Griffin, dismissed the predictable reaction of the Williamses and Wintertons as panic and, in his opinion, there was 'no immediate problem'. I agree with the Attorney-General when he said:

I would suggest that companies do not give a damn about what underpins the corporations law. They are concerned about the day-to-day operation of the substantive law.

The Attorney-General is also right to criticise the Chairman of the Australian Securities and Investment Commission, Mr Cameron, for using his position to promote a referral of state constitutional authority to the commonwealth.

I was pleased to read in the Australian *Financial Review* of 5 May a proposal by a Commonwealth Bank solicitor Ms Marion Hetherington that the states take back administration of the entire field of corporations law and manage it through a cooperative, possibly private, agency of their own. She writes:

The commonwealth route is rather like the sharp, sheer, icy northern face of Everest—the very hardest way to try to get to the goal of nationwide law. And the reason why it is so hard is the limitations on the role and powers of the commonwealth. The states, on the other hand, are subject to few limitations on their legislative and contracting powers, by the combined use of which they would be able to effect their purposes by a joint endeavour using any agency they chose.

She also writes:

The states could set up an organisation of their own to carry out, for example, the activities now conducted by the Australian Securities and Investments Commission.

The bill before us does not deal with these weighty matters. The changes it makes are modest. Owing to the ministerial council's changing the name of the regulator from the Australian Securities Commission to the Australian Securities and Investments Commission, the state act will have to change. Last year commonwealth legislation was changed in respect of accounting standards, takeovers, fund raising and corporate governance. Although the Crown in right of the commonwealth will be bound by the fund raising provisions, the states are to be exempt and the bill provides for that.

Clause 6 of the bill repeals section 21 of the state act so that the accounting standards adopted by that section are no longer the relevant standards. Clause 7 amends the definitions of 'books', 'commission', 'panel proceedings' and 'witness'. Before 1998, the corporations law provided an exemption for some prescribed interest schemes that were exempted under the law's predecessor the companies code. This part of the corporations law was replaced in 1998 by the Managed Investments Act. Clause 8 brings us into line with the new Managed Investments Act on that point. The opposition supports the bill.

Mr HANNA (Mitchell): Of course, I rise to support the bill, as well. However, I take issue with many of the assertions put forward by the shadow Attorney-General. I feel safe in making these objections, because the assertions to which I am referring were obiter and not ratio decidendi, if I might throw in a bit of Latin, which I am sure the member for Spence will appreciate.

Mr Clarke interjecting:

Mr HANNA: For the benefit of the member for Ross Smith, I will explain. The controversial aspects of the member for Spence's address were irrelevant, and he might as well never have said them. Having said that, the member for Spence, as usual, has given a learned exposition of the meaning of the clauses of the bill and the reasons for it—something we do not normally have from the government side in this Chamber. I mourn the passing of the Mason court in terms of the High Court of Australia, and I mourn the fact that we can no longer benefit from Justice Murphy's judgments—although they do occasionally come up from time to time in High Court cases and receive vindication in many respects.

I do not think that Australia is best served by a narrow literal reading of the constitution, in the same way that legislation we have for the benefit of our citizens ought to be interpreted liberally so as to serve the citizens best; for example, our WorkCover legislation, which is there to benefit workers injured in the course of their employment. The guiding light in interpreting that legislation should always be the benefit of workers, where that is not inconsistent with the black and white letter of the legislation.

The national constitution is no different in principle. It is there for the benefit of citizens generally and, where circumstances have changed over the past 100 years—and we all expect they have—it is perfectly legitimate for the High Court to draw out meaning in the words that are literally printed on the page so as to provide freedoms and benefits which are desirable for our community at this point in our history. Of course, that is subject to the proviso that one cannot go against the literal meaning of the words that are there. However, with our constitution more is left unsaid than is stated. In many respects there are gaps and vague words which do not mean what they meant 100 years ago. That is why interpretation is required and why I submit that good judges will be conscious of the community's level of understanding and experience at a point in history when our federal constitution is being interpreted. Having said that, I am pleased to also support the bill.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank members for their contributions.

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

NATIONAL TAX REFORM (STATE PROVISIONS) BILL

Consideration in committee of the Legislative Council's suggested amendments.

(Continued from 30 May. Page 1268.)

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

That the Legislative Council's suggested amendments be agreed to.

The amendments to clause 5 ensure that the accounts sent out by government departments will show the GST component in those accounts and that will occur from 1 January 2001. That was the view of the government without this legislation but these amendments will ensure that that will occur. The other amendments are purely technical amendments to the bill.

Mr FOLEY: The opposition supports these amendments. In another place, the Treasurer said that he was not prepared to die in a ditch over his position. Equally, in the ongoing

constructive and bipartisan manner for which the Labor Party is developing a reputation in this state, we will not die in a ditch over our position. We will meet the government halfway on this one and agree to the Treasurer's amendments, but that is not to say that the Treasurer should get off without a few comments.

From what I am told occurred in another place last night, I understand that I received some rough treatment from the Treasurer, who attacked me over many things I said on the budget. Last night he referred to me as an ageing groper out of the water. That was most unparliamentary and unflattering. I do not think that I look like an ageing groper.

The CHAIRMAN: I hope that the member for Hart will not refer further to debate in another place.

Mr FOLEY: I have been told that was said, and I will have to read *Hansard* to see whether that was how the Treasurer referred to me. I can live with that if that is the worst that the Treasurer can find to call me.

Mr Atkinson: Maybe he meant something else.

Mr FOLEY: Meaning? The reality is that the Treasurer had to accept our amendment because it was the will of this chamber, and the Independent members and those members of the government who are independently minded indicated that they would support the opposition on this. We attempted to ensure that, on government invoices, GST was identified clearly. It would be nice to get it on every single docket or receipt of government, but in many cases that would not be practical and it was not our true intent, but the substantive invoices of government should have the GST on them.

The Treasurer indicated in his contribution last night, I am told, that he wants that to occur anyway, and I understand why the government wants to have it appear on some government invoices so it can distance itself from that tax, and I hope the committee will indulge me in some political comments. This is the government's GST. Premier Olsen wanted it and he has got it. The minister assisting the Treasurer in this place will have to wear the GST around his neck as he doorknocks throughout the electorate of Light at the next state election, because every Liberal member of this chamber wanted the GST and they have got it. The opposition will highlight the fact that this is a Liberal GST, wanted, supported and welcomed by both state and federal Liberal MPs.

Mr Hamilton-Smith: We are the reforming party.

Mr FOLEY: The member for Waite says that they are the reforming party, and that is a reform that we are happy for you to own and one that we will do all we can to ensure that the electorate—

Mr Atkinson: And the Democrats.

Mr FOLEY: Of course, the Democrats. We will ensure that the Liberal and Democrat candidates at the next state election know full well that this is a Liberal GST and a Democrat GST. What will it do to the demographics and voting patterns in the minister's electorate in the hills?

Mr Atkinson: Probably help him.

Mr FOLEY: It will suppress the Democrat vote and see the Labor Party vote rise. That is why he has such a grin on his face.

Mr Atkinson: If Bruce Eastick can't beat Tony Piccolo, what chance has the minister got?

Mr FOLEY: Malcolm is a very decent person; we know that.

The CHAIRMAN: Order! The honourable member will return to the debate.

Mr FOLEY: We will remember the minister fondly in debates in the next parliament and refer to that nice chap Malcolm—

Mr Atkinson interjecting:

Mr FOLEY: Old Malcolm, new Malcolm, it will be the retired Malcolm, the defeated Malcolm. We will keep a fond spot for the minister in our heart, and we will talk to him when he comes into the parliamentary bar on those afternoons when retired MPs come in for lunch. As I said, the Treasurer was prepared to say that he did not want to die in the ditch and would meet the opposition halfway on this. The developing theme or pattern on which many people are commenting is that we are an engaging, bipartisan opposition, a constructive opposition, and the electorate and the community in general are warming to us, and this is another indication of how constructive we are. We will meet the government halfway and we will accept these amendments of the Treasurer and those from members in another place. We look forward to the speedy passage of the bill.

Motion carried.

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

A quorum having been formed:

STATUTES AMENDMENT (EXTENSION OF NATIVE TITLE SUNSET CLAUSES) BILL

Adjourned debate on second reading.
(Continued from 23 May. Page 1137.)

Ms HURLEY (Deputy Leader of the Opposition): The opposition understands that there is some urgency to deal with this bill because the sunset clause comes into effect on 17 June. Obviously, while there are ongoing difficulties with negotiations about native title, and so on, it is important to extend this sunset clause. The opposition has already indicated in the other place that it is happy to agree to this bill and I understand the Democrats are agreeing to it as well. I indicate that the opposition understands the need for this bill to be expedited and that it will support the second reading.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the opposition for its support.

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

APPROPRIATION BILL

Adjourned debate on second reading.
(Continued from 30 May. Page 1293.)

Ms KEY (Hanson): In the short time I have had allocated to discuss this bill, I would like to make some general points which have been gleaned from the budget papers and which are directly relevant to the electorate of Hanson and the new electorate of Ashford, for which I have been preselected as the Labor candidate. I would like to speak briefly about jobs, youth affairs, workplace services and if I get time—which seems unlikely—I would like to talk about the budget papers in relation to the environment.

When looking through the budget papers, I was reminded of a publication which is titled *Revealing the Hidden City—responding to poverty in central Adelaide* and which was published in November 1999 by the Inner City Administrators Group Poverty Project. Unfortunately, this publication chilled me. It gives quite an amazing and direct account of the

number of homeless people living in the city area. It also describes some of the problems that have been raised by both youth workers and workers who are working in the community sector, mainly the private community sector, and their dealings with homeless people, particularly people in need in the city square. One of the comments really set the scene for me when I looked at the budget papers. Page 9 of the publication states:

For their part, governments need to ensure that economic policy and social policy are mutually supportive, but in ways that are just and equitable to all citizens. Justice is not served by slashing public expenditure, by ‘balancing’ cuts to the wealthy with cuts to the poor. Social policy should not be a means of forcing poorer sections of the community to contribute to the accumulation of wealth by the more secure sections of the community.

I must say that that comment, as well as many other comments from that book, certainly reflect my views about how we should be balancing the budget, not only the South Australian budget but also the federal budget. In looking through the papers, I acknowledge that there is some improvement on the employment front in South Australia, although I have real concerns about the nature of the employment that has been provided. People come into my electorate office and tell me that the only jobs they can get are those which are not supposed to exist, that is, permanent casual jobs. They are on contracts that are fairly dodgy and they have extreme problems in exercising their rights in the workplace because of the way in which they have been employed. I am particularly concerned that we still have very high unemployment rates for young people.

During the past year, I was unfortunately at the gate when the workers at Clarks Shoes Ltd lost their jobs. Many of them said that the only job that the remaining workers would have would be to glue the soles onto the shoes that were made overseas. Workers at Perry Engineering and Michell’s Leather have also lost their jobs; and we all remember just before Christmas the terrible story of all the workers at Consolidated Apparel. We heard the comments made by the government last week about the ‘Save our State’ rally, involving workers from Mitsubishi, the Submarine Corporation and Port Stanvac, and some workers from Holden’s. However, it certainly was of concern to me that workers had taken it on themselves to try to demonstrate their concern about the future of their jobs in South Australia.

There has also been a big campaign for the Holden engine to be manufactured in South Australia, but it appears that we will lose that contract to Victoria—if we have not done so already. I also took part in the many demonstrations and meetings about what would happen to both the public transport and ETSA workers. Two issues have come out of all those meetings. There have been many other campaigns, but the main issues that come to mind are job security, being able to exercise your rights in the workplace, and, if you did lose your job, what sort of workers’ entitlements would be afforded to you. I am sad to report that even now in South Australia there is no guarantee that, if someone loses their job, their entitlements will naturally go to them. This is an issue in the industrial relations and industry development area that needs a lot more attention.

In relation to the electorate of Hanson, in particular, and the future electorate of Ashford, I notice that in budget paper 5 there is some news with regard to capital investment. Like some other members, I am quite pleased that there will be at least some concentration in the western suburbs of resources and capital investment.

I note in budget paper 5 the relocation of present police services at Glenelg and the STAR division to Netley (which will be in the new seat of West Torrens) to provide improved client service in the metropolitan south-western region. I am very pleased about that, because a number of constituents have complained to me about their not being able to get in touch with police, let alone be visited by them, when they have been involved in neighbourhood disputes, when they have been robbed or when their car has been stolen.

Some investment is also being directed—and it might be controversial—to improving water quality and the amenity in the Patawalonga. As I have said in other debates, I am pleased that there will be a concentration on the Patawalonga because I do see it as one of our tourist spots. However, I have grave concerns about where the waste water will go. Certainly, Barcoo Outlet, in my view, is not the answer to this problem.

We are also promised the provision of improved recreation facilities to assist the development of the Glenelg-West Beach area. Obviously, that is good in one respect, but we must remember the demonstrations in relation to the Adelaide Shores boat harbour last year and the year before. That initiative will not be welcomed by many constituents, particularly those living around that area.

There is continuation of work for the Glenelg waste water treatment plant. I think residents will be pleased that an environmental program will be associated with those improvements. Also, we have been told that the Queen Elizabeth Hospital will be redeveloped.

Ms Stevens interjecting:

Ms KEY: I am told this is the eighth time that it has been announced.

Ms Stevens interjecting:

Ms KEY: The shadow health minister tells me that this is the eighth time since the Liberals have been in government. I also note that Burbridge Road, Brooker Terrace, and South Road streetscaping and widening of the road is happening as I speak and that is very much welcomed, certainly by businesses, although not right at the moment because businesses are being interrupted by this work. However, this will be a positive improvement to the area in the future.

I have also mentioned the Patawalonga, improving water quality and the recreational facilities, and again with regard to the Glenelg waste water treatment plant there is an aim to reduce the level of nutrients discharged into the marine environment. I am pleased to see that that is an emphasis for the Glenelg waste water treatment plant but we all know what will happen if the Barcoo outlet goes ahead, which I expect it will. This issue needs to be dealt with with some urgency because the levels that were tested by the West Torrens council showed that there is reason to be concerned about the proposal on the part of the government for the Barcoo outlet.

If ever a primary school needed upgrading, it is the Cowandilla Primary School, and we are told that it will be upgraded. There will be a rationalisation of accommodation—and I am a bit nervous about what that means—and the school behaviour support unit will be relocated to better use existing space and reduce high building maintenance liabilities. I hope this is not government speak for getting rid of a very important program being run out of the Cowandilla Primary School, and I hope that we can receive this positively rather than having to wonder whether the resources at Cowandilla will be cut, and maybe Minister Buckley can clarify that.

We are told that there will be some redevelopment of the Thebarton Senior College and some new science facilities. That will certainly be welcomed. This is not strictly within the electorate of Hanson, but I know that the constituents of Hanson see the Thebarton Senior College as being extremely important, as does the member for Peake, in whose electorate the college is located. The William Light reception to year 12 school, which was the old Plympton High School and which is an amalgamation of a number of primary and high schools in the area, is about to enter stage 2 of its upgrade.

I am pleased to report that I am very much involved with the William Light High School and, because of my responsibilities here last night, I missed out on one of their fundraisers. The school was collecting coats for people in the community who are not able to purchase a very basic comfort such as a coat. As I understand it, the year 12 students decided to take on this project to ensure that as many spare coats as possible were collected and were made available not only to some of the homeless people in the area but also to some of the different charities that look after people in that situation. I am very impressed. This is yet another good idea from the students at William Light and I am very proud to say that they continue to impress us with the various projects that they come up with.

I also should report at this stage that the other day the year 12 students from William Light were very cynical when I was talking to them about their employment prospects—and Joe Scalzi and Sandra Kanck can certainly endorse my comments. They said that they thought the employment program of the government basically included a new web site and they hoped that there was more to it than just the web site. So cynical for people so young, I thought.

One of the other areas that has been noted in the justice portfolio in budget paper 2, appendix A, is the employment of 113 additional police officers and 27 extra support staff to support crime prevention strategies and to better target crime such as family and domestic violence, motor vehicle associated offences and drug related offences, 'thus increasing the sense of security and harmony in the community'. I was very interested, as I always am, in the member for Waite's address. I noted that he seems to think that—

Mr Clarke: I would much rather listen to Bob Francis.

Ms KEY: I would much rather listen to the member for Waite—16 police officers will be allocated to the Sturt police office. I hope that is the case. I hope it is even more than 16 for the sake of the people who live in the south-western part of town, because of a number of complaints I have received in the past three weeks regarding contacting the Sturt police station. I have tried to contact staff in that station about a number of issues that have been raised in the electorate, and I have not been able to get through on the phone. No-one answers the phone. I rang Telstra and said, 'Maybe I have the wrong number.' Telstra said, 'It is funny that you should say that because we have had four other calls about it today.'

The minister is looking at me as if I am making this up, but I can support what I am saying. Telstra said, 'It is funny that you should say that because four other people have contacted us today to check the number and the number is'—and they quoted whatever the number was—and added that there must be some problem. I have since taken this up with the minister's office and I am hoping that that is the problem, that it is a wrong number rather than there being no-one at home and no-one answering the phone, because it is a fairly serious problem if that is the case. A number of older people in the area who ring my office quite regularly have said that

they have not been able to get through to the Sturt police station. I can only hope that this issue will be taken up by the minister and that the 16 staff, if the member for Waite is correct, will ensure more police presence in the electorate.

I will mention a couple of other areas that may or may not be directly related to the electorate. One was pointed out by the member for Mitchell—an O-Bahn in the south. He raised some questions about the project and it may be debatable whether there are benefits for the electorate of Hanson (or Ashford). Suffice to say, that my office has been asked a number of questions about the supply of transport and I have received a number of complaints. However, I do need to say that the minister in the other place, Minister Laidlaw, has been most efficient in responding to any of the questions, whether they be about public transport—I do not know whether we still call it public transport: as I understand, the infrastructure is owned by the public, so I will call it public transport—or traffic and what used to be highways issues. I compliment her on her speedy response and I know that the constituents in the electorate of Hanson (potentially Ashford) appreciate the fact that that minister does respond. It is not always the answer we want, I might add, but we certainly do receive a response.

The specific purpose grants are also set out in budget paper 2. There is reference to a one-off payment for the Adelaide Airport runway. Again this is dealt with by the constituents in two ways. Some of them are saying it is good for the state to have a well operated airport, and I could not agree more on that issue. However, there is a groan from those who live around the airport because there is enough trouble with the curfew being observed by the different users of the airport and also the noise factor. Although, for the sake of progress, we are pleased to see this specific purpose payment, the residents feel that there is also a bit of a sting attached to it. The airport action group has raised these issues with both the federal and state ministers.

I also note, again under special purpose payments, that a \$287 million grant is to be received by this state from the Commonwealth in 2000-01, and this will be passed on to non-government schools and local government. I will be very interested in the estimates committee process to find where this \$287 million is going and what sort of allocation will go to the non-government schools. There are a number of non-government schools in my electorate for which I have great admiration, and I know they are doing it tough, but I have to declare my bias to the public schools actually being adequately funded and resourced so that there is proper access to education in this state.

Because I have only one minute left, I will close by saying that, if the promises are delivered and not just re-announced next year, there seem to be some positive aspects for the people in the seat of Hanson and also for Ashford, but generally there are some real concerns, as I said initially, about the poor getting poorer and the rich getting richer, and the budget does not convince me that anything will change.

Mr CLARKE (Ross Smith): I have heard the statement before, but in another context over the last couple of days, that it is like that movie *Ground Hog Day* when it comes to the presentation of the budget by the Liberal government.

The Hon. I.F. Evans interjecting:

Mr CLARKE: Yes, as the minister points out, it is repeated speeches going back at least to when I was elected here in December 1993. Each year when the budget is handed down the government blames the former Labor government

for all the ills that they find the state in with respect to the State Bank, and each year we on the Labor Party side get up and point out what a bunch of no-hopers the Liberal government members are and how they are mismanaging the economy and not allocating sufficient resources to the key portfolios of health, education, employment, etc. I have done the same myself, and no doubt will continue to do so. Indeed, I am putting out a leaflet to the electorate this week pointing out all the shortcomings of the Liberal budget handed down in all the key areas of primary interest to the people in my electorate, being education, hospitals, employment and housing in particular.

However, I want to deviate a little and say that I support whatever the Leader of the Opposition has pointed out in terms of all the shortcomings of this budget. I do not want to repeat those points. What I actually wanted to do in my contribution is ask, 'Where does this leave the public in terms of the traditional position of where the government blames the Labor Party for all its ills, and we blame the Liberal government?' I think the public just ends up overwhelmingly confused and angry because they believe they are being treated like fools.

The public know that the waiting lists at public hospitals are too long; to get the free dental scheme, the waiting list is too long (and it is no longer free); there is not enough public housing; the education system has been short-changed; and legal aid is virtually non-existent. On key environmental issues, such as the clean-up of the Murray River, measures are long overdue and we all know that they will be very costly.

However, all political parties publicly maintain that they can achieve all these objectives in time and basically do so on a Volkswagen budget. The people of this state are not fools. They know that all those laudable objectives cannot be achieved in that simplistic manner, and that it will cost a great deal of money. They know it, and what they want to know is how much it will cost, who will pay for it, whether it will be equitable and, above all, whether those things we say we will do will be carried out.

I have a view that the public will in fact support the raising of revenue to achieve specific objectives provided they can be assured it is raised equitably, that it is spent on the purpose for which it is raised, and that they can see a qualitative improvement, whether it be in our environment, our schools, our hospitals or whatever. But we also have to look at the revenue raising capacity of our State. I have flicked through the budget papers just to remind myself of some of the dilemmas I faced as a shadow minister before the last state election when looking at the options that state governments have to raise revenue. Those options have been diminished with the introduction of the GST.

One can only hope for the sake of the state that the predictions made by the Prime Minister and the Premier with respect to the revenue raising capacity of the GST for the states is in fact borne out in reality. Only time will tell. It is certainly an iniquitous tax and it is a question as to how much money it will raise for the states: we will have to wait and see.

Looking at the budget revenue predictions for the next financial year, I find that under 'taxes'—and I will round these figures to the nearest million—there is payroll tax of \$580 million; taxes on property, \$687 million; taxes on gambling, \$293 million; taxes on insurance, \$182 million; motor vehicle taxes, nearly \$317 million; franchise fees, nearly \$27 million; and other taxes, approximately

\$4 million—a total in taxes of \$2 088.7 million. In terms of dividends from government business enterprises, this year they are predicting \$279.2 million, with SA Water accounting for \$219 million of that. With the loss of ETSA and other government instrumentalities in terms of dividends, we have lost that dividend stream. It is now really only SA Water.

In terms of other state revenue that we can get from the non-commercial sector, it is about \$60 million; one-off payments from the proceeds of the bad bank (with respect to the State Bank), \$109 million; SAFA \$50 million; royalties, nearly \$72 million; and fines, around \$70 million—totalling \$489 million. There are commonwealth grants made in the form of the GST and the like totalling \$3 962 million. Those statistics tell us that the amount of revenue that this state can raise is very narrow. Do we increase payroll tax, taxes on property or taxes on gambling? Everyone hates the poker machines, but pokies contribute \$183 million out of that \$293 million that we can expect from gambling revenue for the next 12 months.

I want to come back to that in a moment, but before I go into any detail I also want to deal with the fact that I think this whole debate on the Appropriation Bill is the wrong way around. We have not had the estimates committees, and I think it is rather futile, quite frankly, for us here to be speaking on the Appropriation Bill and making perhaps nice-sounding speeches to ourselves, but nobody listens. I had a friend in the chamber last night listening to the debate on the Appropriation Bill, and she was amazed that there were only about two members in the House. She said, 'Wouldn't you be doing the state a favour by just turning off the lights, going home and saving the taxpayers some money?'

The Hon. I.F. Evans: Who was speaking?

Mr CLARKE: It is irrelevant who was speaking. I must say that I had to agree with her. There we are paying a lot of extra wages while we debate issues on which we all have set positions.

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

Mr CLARKE: I note that, after the dinner adjournment, there are fewer people in the chamber than was the case when I began my speech. I do not quite know what that is telling me—but, in any event, I will persevere. I do not even mind if I have to flap my gums into the wind and no-one is here to listen.

Prior to the dinner adjournment, I was making the point that I thought this whole exercise of our debating the budget before the estimates committee hearings was the wrong way around. As I said prior to the dinner adjournment, a friend of mine said to me last night, 'Why don't you just turn off the lights and save the public money? There are so few members of parliament listening that it is an absolute nonsense and a farce.' Frankly, I could not have agreed with her more on that point. That is rather a sad thing, because we have our set positions, as I said earlier. What is needed, it seems to me, is a reform of the structure of the way in which we do things in this place, in any event. We talk about other industries having to reform themselves and become much more efficient but we do not do it ourselves.

The estimates committee hearings, which will take place in a couple of weeks, are also largely a waste of time. Oppositions, be they Liberal or Labor, will gain some morsels of truth, because ministers will accidentally answer the question that is put to them rather than trying to cover it up. However, that is more by accident than by design. We will

have the usual litany of government members—and, again, it would not matter whether it was a Liberal or a Labor government; the same would happen—asking the usual dorothy dix questions so that ministers can pad out their time and try to extol their virtues, but not enlighten the state one iota as to the workings of their department or how we expend the money. I know that you, sir, did not do that, when you were the minister for the environment and when I had the opportunity to cross-examine you. However, you were far too foxy for me on those occasions. You sought to answer honestly and boldly. You caught us so totally by surprise that we were gobsmacked.

We must be relevant in this place, and this relates particularly to backbenchers on both sides. I notice the surprised look on the face of the Deputy Premier: he must be thinking, 'Backbenchers relevant? What a heinous thought.' Most ministers would regard it in that way, as would probably most shadow ministers. Instead of wasting people's time and money, if we are to be relevant, we would have a system where the minister and his or her departmental advisers were present (hopefully, fewer in number than the Minister for Government Business Enterprises had when he was Minister for Health and when he had more advisers than President Gorbachev or President Reagan had when they negotiated the SALT II treaty on disarmament), and where backbenchers had the opportunity of putting questions to ministers, with the rules of debate (in the sense of the standing orders of this place) being in force rather being corrupted, as has been the situation over the years, and indeed where those ministers had to answer the substance of the questions. It would be amazing if ministers were compelled to answer the substance of a question.

I refer to some of the interrogations that take place in the US Senate or in the various committees of the House of Representatives, where secretaries of state and the like are badgered, cajoled and forced to answer the question, where supplementary questions can be used to follow up questions and where there are not quite the same time limits as apply here. I am no expert on the way in which the parliamentary system works in the United States, but it seems to me that we can do our constituents a terrific service by doing our job properly. Here we are over two nights, sitting late, paying wages to staff and incurring costs of just running this place to flap our gums, and no-one is listening. The media is not here: the media will report nothing except what the Leader of the Opposition has to say—and rightly so, in that sense—because this institution is regarded as being somewhat irrelevant. It is the ascendancy of the executive arm of government over the parliamentary institution. That is what we need to reform, and only we can do it as a collective group. It does not matter who sits behind those front benches on the government side; such a move will be intrinsically resisted. However, we have to do better than we have done in the past.

I see that we have a member of the fourth estate here: it is amazing. They obviously got lost on their way up to a free beer—I can tell them that there is not one here! They actually came up to hear a backbencher: I am amazed. They probably thought that I was going to make my obituary speech—but it is far too soon.

So, if we are to re-engage the general public with parliamentary democracy, people must have confidence that their MPs do not just flap their gums into thin air but that we do a job; that we interrogate ministers and their departmental heads, of whatever political persuasion; and that our back-

benchers are released from the constraints of saying, 'Here Johnny, ask this question as to why I am the most magnificent minister for the environment that ever existed.' I know that you would never have been guilty of that, sir, when you were minister for the environment, but you did have a few fawning acolytes, particularly the current Minister for Police when he was your parliamentary secretary.

It is equally true in terms of estimates committee hearings that backbenchers on the opposition side cannot even get a question in because—and I understand why—the shadow minister takes precedence. So much time is wasted by members of the government responding to the minister's statement, 'Here is the question, Johnny. Please ask me the question so that I can give you a 15 minute dissertation.'

An honourable member interjecting:

Mr CLARKE: And it happened on the other side. But as the member for Schubert—the lion of Schubert; more the pussy cat of Schubert—has said, we have done it for 100 years. But what have we done over those 100 years? More and more members of the general public regard us as irrelevant. They regard us as being indifferent to their needs: they think that we are just simply mouthpieces for our parties, not individuals standing up for the average punter. This is this process of disengagement, which is incredibly dangerous in terms of parliamentary democracy. We go through our charades, but the people in the community are worried about their jobs, their homes, the hospitals and the education of their kids and we mouth platitudes. What we really need to do is fundamentally address the issues, such as, how big a cake do we want? What level of services do we want in this community? If we want X what will it cost? And if it costs Y to achieve X, how do we raise the revenue with the constraints that we have as a state or federal government?

I thank the Liberal Party for introducing the first new wealth tax in this state: the emergency services tax. It has been inequitably applied but thank you for the precedent; no doubt it will be of assistance in the future. We would not have got it through but you people did—thank you very much. People will pay money if they believe that the services are delivered. They are getting a bit sick and tired of the glib comment, the five second grab or the veneer or the sneer from political leaders who say one thing and do another. I am not pointing the bone at any particular party: we have all been guilty of it over the years. I am alluding to people's perceptions in the real world that we are lower than used car salespeople in terms of public esteem, and I am not knocking used car salespeople, who have a job to do.

That is dangerous in a democracy when the governed have no respect for those who are in positions of trust. It leads to abuse. It leads to people tuning out and looking for simplistic answers from extremist groups within the fringes of our democratic systems. It removes that taproot between the ordinary person, their government and their elected representatives. Every day we assist in the removal of that taproot unless we seriously address the problems. We can do this in part by making sure that we do our job and by changing the ways in which we do our work in this place so that we are more conscious and responsive to the needs of our electorate.

Time expired.

Mr VENNING (Schubert): I want to reflect briefly on the rather interesting contribution by the member for Ross Smith. Certainly I have experienced in my 10 years in this place moments when you reflect on the process of the parliament. You wonder, 'Why am I standing here? Why am

I speaking and no-one seems to be listening?' You know jolly well that you could be better employed, even if it was at home on the tractor sowing a crop. But we choose to be elected representatives and certainly people read what we say. I do not know about the member for Ross Smith but 40 to 50 people regularly comment on my speeches in this place.

Mr Clarke: But you have a big family.

Mr VENNING: I am very lucky; certainly my mother reads every word: hello, mum! I believe that this is democracy because people elect us and they want to be able to read what we say. Even if they do not read what we say they know that they can. If you say something controversial the media will pick it up. I despair sometimes: you stand here and there are only one or two people are in this place.

Certainly, some excellent speeches are made and I compliment the member for Ross Smith. He makes some very good speeches and I listen to them, even if he calls me the Lion of the Barossa. I do not care: I take it in good spirit. I know that the honourable member is a duty member for the Barossa. I am happy to assist the honourable member in his duties and I wish him all the best at the next election. When I came here 10 years ago I thought long and hard about this process. I thought, 'What the devil. You stand here and who listens?' But after a certain time you understand what the process is all about because people do read. Even the local media reads *Hansard*. I do not know whether the member for Ross Smith sends *Hansard* to his local media but I do send my speeches to my local media. I highlight what I have said, particularly if the speech is worth reproducing.

To think long and hard about the process can be frustrating and worrying for us, particularly when you realise that every parliament in Australia does the same thing. They all have similar processes to ours and I ask the question: when we are making laws should we not just look over the border and pinch that legislation—pass the same legislation. Would that not be easier; would that not save a lot of time in this place? Then, of course, you ask the question: do we need a state parliament? I have read the Labor Party books which say, 'No, we don't.' I have not heard any members opposite say anything about that. The same applies to the Labor Party's book about upper houses. I happen to agree with the Labor Party's little red book but members opposite do not seem to agree with it—

The DEPUTY SPEAKER: Could the chair suggest to the member for Schubert that he might very soon start talking about budgetary issues.

Mr VENNING: I will, sir, but I am following the excellent lead given to me by the member for Ross Smith. Certainly, I will come back to the subject immediately. I compliment the honourable member; it is food for thought.

Mr Foley: Have you read the budget?

Mr VENNING: I have read the budget. My final word is that I support the institution of state government. You must consider what is the alternative and that is very difficult. I support this Appropriation Bill. We are seeing some clear daylight at the end of the economic tunnel for South Australia, and the opening up of a much brighter and encouraging environment for all South Australians. Most South Australians have received the budget very well. It is not a throw away cash grab for everyone and it is certainly not a bankcard budget: it is a budget for the times.

The budget is balanced, something that this state has not seen for many years. We have been languishing under deficits for what seems an eternity but now, after thousands of hard yards, the Liberal government has put in and we have just got

our head above the water and able to breathe a little more easily. I said 'more easily' not 'easy'. Sure, I am the first to admit that times have been tough, but this state's finances have been neglected for so long. We were allowed to spiral out of control into disaster by previous Labor governments. Tough times call for tough actions, as the adage goes, and that is exactly what this state has had to endure as a result of Labor's hopeless inability to manage the state's finances.

The fruits of the government's labour are about to be appreciated. The ETSA lease, now bedded down, has and will continue to pay enormous dividends for our state's economy. The debt has been halved with further reductions to come from other sections of that utility to be sold. The government has allowed us to break free from that debt cycle, which we certainly were in and which has improved our credit rating to AA+ with Standard and Poors. We should also see a further reduction in our interest payments. Certainly I look forward to the day when the state's rating is AAA+. That is some time off but, hopefully, within two to three years we can achieve that. This is what this state has been longing for and we have now delivered it. It has been tough going.

I pay tribute to the people of South Australia because they have stayed with the government now for six years during this very difficult campaign. Yes, we might be marginally down in the polls but, certainly considering what we have done, I think that we are looking very healthy.

One of the most substantial benefits I have experienced in the electorate of Schubert has emerged from last week's announcement that the emergency services levy has been slashed. The Barossa Valley has now been reclassified, not the same as greater Adelaide, but as region one and region two. The cut to the levy has provided huge savings for my constituents. Of all the measures I have played a part in in my 10 years as the member for Custance and now Schubert this, I believe, has been the most appreciated because it has lifted a huge weight off people's shoulders. People have paid the higher rate of the emergency services once and, by my various news releases, they can see what it will be next time. They are very pleased about that indeed. In some instances, the levy has been reduced by a whopping 70 per cent on properties, and that is a huge saving. As many would know, I have lobbied long and hard behind the scenes to see the impact of the levy softened. I commend the Premier and the ministry because they have listened to the concerns of the people and acted responsibly and favourably. I want to pay tribute to the system. I have chosen not to get into the papers and make headlines; I have chosen not to whack the Premier or the minister publicly. I have chosen to deal with the matter behind closed doors. This is proof that, by acting responsibly, you will be rewarded.

I want to pay tribute particularly to the minister, the Hon. Robert Brokenshire. Considering the fact that he represents a marginal seat, he has not once flagged from the line. I pay tribute to him, especially as he would be having the same problem as I was having in my electorate, bearing in mind that we both represent an area that was classified as greater Adelaide. The minister did not flinch, either in this place or outside—or even in private. I pay the highest tribute to the minister, because the Premier gave him a job and the minister stuck by his guns. I am sure that his efforts will be rewarded. The news was some of the best news that I have ever received for my electorate. I would personally like to thank the hundreds of people who contacted my office with their concerns about the matter.

This Liberal government bit the bullet and implemented some unpopular initiatives. However, through that pain, we have seen some real gains, and nobody can argue that reductions in the ESL are not real gains in anyone's book. It is all very well for members of the opposition to laugh, but the problem was theirs before it was ours. The \$30 million debt against the CFS was there when they were in government, and they chose not to address it. But we have done so. Let us play a straight game here and be fair about it. If members opposite do not agree with me, they can tell me so either in this place or outside. The matter had to be addressed; it could not be allowed to continue. We have addressed it, and it has not been that popular. However, with these measures I am sure that we will get over it; we will wear it, because people admire strong government, and that is what they have.

This is one major positive that directly affects me, and I am very grateful for it. However, many other positives will come out of this budget. The sum of \$192 million allocated to the human services budget will pump along the capital works program, particularly in my electorate. Mental health will get a \$2.5 million boost to extend community-based services. We are talking big money, although I have not seen any specific allocations for the new Barossa health centre. I understand that we must look at the priorities, but I would like to hope that funding will be allocated and that construction of the centre will be commenced in the next three years. Hopefully, that may be operational within the next five years.

The Barossa really does need a new health facility. As the member for Elizabeth would know, we have two ageing hospitals in the Barossa—one at Tanunda and one at Angaston. Neither is attracting any funding now, because their life is over and a new health facility is imminent. That facility has to be provided in the next two, three or four years, otherwise we will have a serious problem. Not only do we have a growing population but also the existing facilities are worn out and falling below the acceptable standards of occupational health and safety.

I was disappointed that that project was not included in the budget, but you cannot have everything. I am very pleased that I got what I did. I am happy that the Angaston and Tanunda Hospitals are still giving very good service, and I pay tribute to the staff of those hospitals. Only urgent repairs are now being carried out on those hospitals. None of the day-to-day repairs are being done, because those facilities will eventually be phased out.

An additional \$10 million over two years is allocated for a further 113 police officers to be recruited for operational work as part of this Liberal government's commitment to public safety. I am very pleased to note that this initiative will directly benefit my electorate, with an increase in police resources. My electorate is also blessed with an excellent police operation. There are major police headquarters at Nuriootpa, with many officers stationed there, headed up by Chief Inspector Darryl Ingham. He is an excellent policeman and it is an excellent operation there. Morale is very high, and the officers receive excellent community cooperation. I cannot speak highly enough of them. They will certainly appreciate this additional impetus from the government. I am providing only a couple of examples to show how responsible and caring this budget is.

Another big winner in this budget is the country. More than \$1 billion has been allocated to growing our rural and regional communities. This money will help ensure that all regional communities have the opportunity to share in a better future. I have been passionate about this matter for a long

time, and to see this sort of money going into the bush is a marked improvement on the position that obtained previously.

The sum of \$9.6 million will be spent on improving and upgrading education facilities; \$11.5 million on upgrading and improving health facilities; and \$83.4 million on road infrastructure. I am very pleased to announce that nearly \$4 million has been allocated for the Gomersal Road in my electorate and that of the member for Light. I know I have spoken about this previously, and people are sick of hearing it. This road will be very much appreciated, because it will allow direct access from Gawler straight into the Barossa. As I have said, I have spoken about this issue in this place on many occasions, and to see it come to fruition is most pleasing.

Also, a total of \$23 million has been funded for new water supplies and waste water treatment in regional areas. I am pleased that some of these funds are to be used to deliver clean, filtered water to the northern part of the Adelaide Hills. The towns in my electorate of Mount Pleasant and Birdwood finally will receive filtered water, along with the other hills towns. When the rest of the Barossa was able to get the clean filtered water for which we lobbied very hard, it was cruel that certain communities missed out; it was very difficult for them. Those who had filtered water were pleased, but those who missed out put pressure on me. It was very hard to justify to them that the situation was fair when they could not have it. However, the plumbing just was not there to allow a connection. I am very pleased that we are now able to address this matter, because I have had so many complaints from hills residents concerning the quality of their water. To see this Liberal government deliver that improvement is very welcome indeed.

Other initiatives that directly affect my electorate include a further \$900 000 to be spent on sealing roads and \$315 000 to be spent on upgrading rest areas on the Sturt Highway and upgrading crossings at the Cambrai Area and Palmer and Springton Primary Schools. The arts community in my electorate, which is very strong and well supported, is to receive an increase of \$50 000 for the Barossa Music Festival. Those members who have been to the festival will agree with me that it is a fantastic event. I look forward to it every year. If members have not been to one, I recommend that they come along to the next one; it is a magnificent festival. I am giving just a few examples of how we have benefited from this budget and of the competent financial management of this Liberal government.

I would like to speak about other issues as well. As the Chairman of the ERD Committee, I would like to talk about the industry that we will be investigating shortly—the growing industry of ecotourism. This directly relates to some real positives from the government's future trade and investment strategy, to which budget paper 6 refers on page 8. This strategy includes the increased effort toward developing the growth potential of the tourism industry through marketing the state and its products to the rest of the world. It uses South Australia's clean and green image and unique natural areas to promote the state, both locally and overseas. It is a very attractive place to live, work and invest in, as well as a major ecotourism destination.

I also refer to budget paper 7 (page 16), indicating that \$2.5 million will be spent on regional tourism marketing, which supports the 12 regions, as well as \$537 000 to continue the tourist road grant program, which provides dollar-for-dollar assistance to councils for the upgrading of

minor roads of tourism significance. The sum of \$160 000 will be spent on developing and marketing key tourism product and \$2 million will be spent on developing roads on Kangaroo Island. Page 21 of that paper outlines further funding for the ecotourism industry. These are all initiatives to promote this burgeoning industry. As the chair of the ERD Committee, I point out that we are about to undertake a study into ecotourism.

Some members might smile and think that this is a nice little junket for the committee members, but it is a very important industry, and members should check the figures. I was concerned at the last national competitions that South Australia did not have an entry in the ecotourism section. That highlighted to me that we were missing out on this multimillion dollar industry, and it is a category of tourism that is probably increasing the most in Australia. We need to be part of the action because we have some of the best ecotourism destinations in Australia. However, we have not marketed them or prepared them for access by tourists. Certainly, therefore, the ERD Committee will spend much time on that reference.

I have listened to many of the speeches that have been made on the Appropriation Bill. I could not believe that I was hearing some of them, particularly the one made by the shadow treasurer, the member for Hart. I have been in this place 10 years. I was here when he was a staffer for a former Premier, and I remember the total mess that that government was in. To hear the shadow treasurer criticise this government makes a mockery of the process because he is saying things that both he and I know are not true. The previous government ran out of strength, ground speed, ideas and money. So, for him to criticise this government for what it has achieved is crass hypocrisy to say the least. He knows it but, for the sake of the political process, he gets in here and mouths off like an aged groper.

At any stage in life, if I know that I am in difficulty, I will not say that black is white or white is black. I know where we were 10 years ago when I came into this place in July 1990: we were in a serious situation. Where we are today is a big difference, and for the member for Hart to mouth off in here as he does is a part of the process that I find most distressing and most frustrating. I believe that this budget has, above all, shown responsibility in the handling of our state's finances but, just as importantly, it is the first step into a newly created environment for the future growth and prosperity of our state.

Mr KOUTSANTONIS (Peake): If ever there was a government in denial, it is this one. If ever there was a government that does not realise what it is heading towards, it is this one. If ever there was a government that has set about to hurt, alienate and ostracise the community, it is this government. Both political parties do private polling and both political parties know which issues matter. The three main issues that matter to the South Australian community are jobs, health and education.

Mr Venning: You missed one.

Mr KOUTSANTONIS: There is another one, which I will talk about soon, and that is police. Let us talk about jobs. The Premier got up in this House and talked about bringing home those South Australians who fled the state in the 1980s and 1990s. I have spoken to a number of families in my electorate who have been offended by that statement because they have children who live in this state, children who have gone to university and qualified as accountants, lawyers or doctors or who have done business degrees and who cannot

find work. They then hear the Premier talking about bringing home the South Australians who have moved to Victoria, New South Wales, Queensland and Western Australia, ignoring those who have stayed behind, who have made the tough decisions, and who have borne the brunt of the emergency services tax and of the cuts to our hospitals, schools and police. He has ignored those people and made a pledge to the people who have moved interstate.

We hear from members opposite that the government always backs up its rhetoric with dollars. I have tried to find in the budget funding for the 'Bring them back home' scheme. All I can find is \$50 000 for a consultancy fee, but there is no real infrastructure or detailed plan. It is policy on the run. The Premier went to New Zealand and saw a good idea, and it is a good idea. We should be encouraging net migration to South Australia, but the fact is that the only reason our state figures on total population growth have increased is international migration, not migration between states.

That is something that the Premier has not outlined in his attacks on me in this House. What he does not say is that net migration to South Australia from other states has increased because people from overseas are migrating here. It is not because people living in New South Wales, Victoria and Queensland are thinking that South Australia is the place to be. How does the Premier back up his rhetoric? He does so with \$50 000 for a consultant. Well done, Premier!

Let us look at hospitals. This government has cut hospitals in real terms. It has announced the upgrade of the Queen Elizabeth Hospital seven times. Talk about flogging a dead horse! The only person on the Premier's front bench who is telling the truth is the Minister for Human Services. He is the only one who has the courage to say that we have been done a dirty and that the government has pulled the wool over our eyes. The truth is that there has been a cut in real terms. The increase does not match inflation. The truth is that we cannot cope with waiting lists.

The Minister for Human Services is the only one who is honest. He went into cabinet to fight for increases to the health budget and, because of the close, personal relationship he has with the Premier, he came out the loser. He has done the right thing by South Australians because he said, 'I tried and I lost. It is John Howard's fault, it is John Olsen's fault, but it is not my fault. I did my best for you but I cannot get the money, because my mate the Premier will not fund the health budget for a number of reasons. First, he does not believe in public health care and, secondly, he does not want me looking good.' Anyone here who does not believe that I am telling the truth must be kidding themselves. Members opposite know that the feud between the Minister for Human Services and the Premier is causing a bit of a rift in the cabinet and setting back our health care services.

Let us put that aside. The government did its polling and realised that one thing it cannot cut is police numbers. It has not recruited enough officers to deal with attrition but, before an election year, it will recruit 113 officers. You hypocrites! Do government members think that the Police Association, police officers and the public will not see through this? Do they think that putting out pamphlets saying that there will be 113 extra police will win them any points with the law enforcement community in South Australia? They know what the government is about.

They know that in 1994, 1995 and 1996 the government cut police numbers in real terms. In 1997, it made promises of an increase and it won the election. In 1998 and 1999,

police numbers were cut. In the year 2000 numbers will be increased by 113. After the election, if by some miracle, some travesty of justice, the Liberal Party wins government again, we will see them go back to their old form. People will see through them.

The government has cut the number of police stations and made them into shop fronts. Recently my office was broken into and my laptop stolen. I called the Henley Beach police station at 3 p.m. on Monday and an officer told me, 'Look, I know that you are an MP and I should not be saying this to you, but we have only got three police officers on, the phones are running hot, and there is no patrol car available to come out to see you, so we will take your report over the phone.' I said that I understood what they were going through, and that it was okay.

This is a government that is supposedly committed to law and order. This is a government that is committed to community safety. This is a government that is in a hiatus: it is on holidays. To bring out that fact, I point out that it has junior ministers who are not in cabinet. The Minister for Police does not sit in cabinet. This is the government that says community safety is its No.1 priority. This is the government that says, 'We will restore law and order,' yet its own Police Minister does not sit in cabinet.

We have further delays to the QEH, RAH and Lyell McEwen Hospital. Only \$1.3 million has been allocated to the QEH. It has been announced seven times: \$1.3 million but it has been announced seven times. It budgets for 93 000 fewer outpatient services, 10 000 fewer emergency services at major metropolitan hospitals, and 10 000 fewer services at country hospitals. This is the government that is committed to serving the bush, but it is cutting hospitals by providing 10 000 fewer services. We will see elective surgery increase and John Olsen's own health care minister says that that will increase by another 2 000.

Mr Conlon: Two thousand more on the waiting list.

Mr KOUTSANTONIS: A total of 2 000 more on the waiting list, but what does the government do? It increases elective surgery waiting times. Well done, it is a government committed. Since this government came to office in 1993, we have seen 400 beds cut from our hospitals. The Minister for Human Services says that there are more movements in hospitals, more procedures, but there are 400 fewer beds. It means that you go into hospital but you do not stay as long. A number of people have rung me and said, 'I am not sure how this works. We have had our first baby. My wife was in hospital and out a day later.' I remember five or six years ago my sister-in-law stayed in hospital for four or five days under supervision, being given advice and time to relax after the birth of her child. But, not on this assembly line health care policy—

Mr Conlon interjecting:

Mr KOUTSANTONIS: That is right; it is a sushi train. In December 1999, 9 729 South Australians were waiting for surgery. This is a travesty of justice. In terms of education, we have a dishonest minister. Unlike the Minister for Human Services, he is not prepared to come clean, but, rather, he is prepared to toe the party line and say that there has been a real increase in education spending. The fact is that education spending does not keep up with inflation; there has been a cut in real terms. The member for Colton knows that; the member for Hartley knows that; and the member for Stupid knows that. They all know that there has been a cut in real terms in education.

Mr Conlon interjecting:

Mr KOUTSANTONIS: I'm sorry, the member for Schubert—Lionheart. And the man who will stand up to anything but pressure; the man who is so committed to his electorate that he lives at West Beach.

Mr Conlon interjecting:

Mr KOUTSANTONIS: I could go into that, but I will not. Education is a vital part of our economy. It is an investment in our future. The Leader of the Opposition has said that he wants to be the education Premier. I endorse that: I hope he is the education Premier. I think education should be our No.1 priority. Unless we make investments for the future, what do we give our children? To whom do we give our future? In the Industrial Commission, senior Education Department bureaucrats said under oath that they had to find another \$30 million to fund Partnerships 21. And there are the other cuts to education. But this minister refuses to accept the fact that they have let the state down.

The emergency services levy—the emergency services tax, I should say—is a very important part of this government's policy. It has cut the emergency services tax by \$24 million. It thinks that it is a more equitable way of raising taxes, of raising the emergency services tax. What we have exposed is a government admitting for a year that it has been robbing the electorate blind. It has admitted that, after cutting the emergency services tax, it did not need to raise \$140 million; it could take half of that from general revenue and raise only \$70 million or thereabouts. It is an admission by the government that it has been robbing people blind for the past year. I wonder if the member for Colton or the member for Hartley will explain to their constituents, 'We have cut it now. We have taken it from general revenue. But for the past year or so we needed to raise it.' I would like to see them explain that. The truth is that the government was robbing the people blind for a year. It realised the polls had turned bad and that it would not win with this tax. It put a face to the emergency services tax, that is, John Olsen's face. It realised it was bad, so it cut it. Nervous backbenchers opposite, who have no discipline and no party loyalty, have gone to the Premier and said, 'You have to scrap this. You have to get rid of it.'

Who is the champion for the cause? It is the member for Colton—the man who jumps under bulldozers; the man who will do anything to stop the evil Liberals from attacking his electorate. But the fact is that he always rolls over and they scratch his belly. It was the same in relation to Sunday trading in the city: he betrayed traders and allowed Sunday trading in the city. The member for Colton accepted 50 000 signatures outside this House from the RTA and said that he would do his best to stop Sunday trading in this city. What did he do? He rolled over for the government. And then, the West Beach groyne. Steve would stand up for them; 'I will not let this happen,' says Steve Condous, the member for Colton. But he rolls over again and the Premier scratches his belly.

Mr Conlon interjecting:

Mr KOUTSANTONIS: Pulled his groin, that is right. Then he gets up in the House to attack me because he thinks he is a better expert than I am on who should be endorsing Labor candidates. I tell the member for Colton: look after your own house before you start criticising me because I can tell you, right now, that I hold up my multicultural credentials any time. I am not ashamed of them. If the honourable member wants to attack my authenticity and my credibility in this House, I say to him, 'Go outside and say it outside.' But you won't—because you are a coward.

The SPEAKER: Order!

Mr KOUTSANTONIS: In relation to the budget deficit, the government is saying that there is a cash surplus. Well, I am sure the government accountants can manufacture anything they like. The truth is that under accrual accounting there is not a budget surplus but, rather, a budget deficit. This government is running a budget deficit. So much for the Liberals coming in and saying that they are the best economic financial managers, when they are not. The fact is that they are not.

We were promised a huge dividend as a result of the sale of ETSA. We heard minister after minister get up here and tell us what they would do with \$2 million a day. I heard the Minister for Education talk about new schools, more computers; I heard the Minister for Police say there would be more police on the street, more patrol cars, more police stations; I heard the Minister for Primary Industries and Resources talk about more money for rural assistance and rural centres; I heard the Minister for Government Enterprises talk about greater internet access and information economy; I heard the Minister for Environment and Resources talk about upgrading the Murray River and spending more on the environment.

But the fact is that the ETSA dividend has not paid off. Unfortunately, our state-based paper, the *Advertiser* thought the ETSA punt paid off; the *Financial Review*, the *Age* and the *Australian* had very different views about the ETSA punt. They talk about squandering opportunities, squandering privatisation. The Treasurer talked about \$8 billion in privatisation sales yet we have a \$4.5 billion deficit. He talked about cutting the public sector. This is a government that makes policy on the run. This is a government that sacked a leader for winning an election with a landslide victory. This is a government that sacked Dean Brown for winning 37 seats. What do you have to do to keep a job in the Liberal Party? John Olsen comes in, reduces 36 seats to 23 seats with a minority government yet they reward him. Dean Brown wins 37 seats but they sack him: you are a bunch of geniuses. No joke, dead set geniuses! In fact, I would say that after the election these Liberal MPs could go into a consultancy and start polling companies and political consultancies, because they would make an absolute fortune. These guys could not organise a drink in a brewery. They are unbelievable.

Mr Conlon: They could stop Phar Lap.

Mr KOUTSANTONIS: Absolutely. In conclusion, this budget does nothing for South Australia. It is a con—a budget deficit. It does nothing for education and schools. The community will see through what the government has done for police, and so will the Police Association and police officers, because they know that the government is not serious about community safety. There is only one party that is serious about community safety and that is our party. Even after seven years, the government still does not have the level of police officers that we had when we were in office, and we will make them wear that like a crown of thorns, because they cannot match us on community safety.

Mr HILL (Kaurna): I was not expecting to speak so soon, but I am very pleased to be able to rise to support the budget.

Mr Scalzi interjecting:

Mr HILL: God, Joe, that's just fantastic stuff, mate; that's really good. This was supposed to be a budget which brought home the bacon, but, as we all know now, this is

more to do with porkies than with bacon. This is a budget that is based on deceit. It is based on deceit in a number of ways. For a start, this is a budget which the Premier and the Treasurer said was in surplus, but of course we now know that this is a budget that is in deficit. The Treasurer tried to confuse the world by saying, 'Well, if you looked at the old system of calculating budgets, the cash basis, it was really in surplus but we now have an accrual basis of calculating budgets.' As I said to the Treasurer in the dinner break, it is 'a cruel' but fair; but it is a deficit budget.

The reason it is a deficit budget is that the Treasurer fiddled the books by including something like \$87 million from the sale of the Casino. Without that sale it would have been an \$87 million deficit in cash terms as well as accrual terms. The other area where this is a deceitful budget relates to the sale of ETSA. The government said—and it spent the last two or three years saying this—'If we can sell ETSA, we will fix up the state's economic and financial problems. There will be \$2 million a day which we can spend on all the issues on which you wanted to have that money spent—education, health, the environment, transport'—and so on and so forth. We have seen what a lie that was because in this budget there was no extra money for those important services. In fact, it has been said a number of times that spending on key programs is down.

The health budget has increased by 1.7 per cent in dollar terms, and as we know the inflation rate is about 2.8 per cent, so that is a reduction of about 1.1 per cent. Even if there was some confusion about that, the Minister for Human Services made it abundantly clear in his press release, an absolutely extraordinary press release on the day of the budget, when he pointed out to the whole world that this was a real reduction in expenditure on health. He gave the reasons why it was a reduction in health expenditure, and he told the world on ABC radio the next day—

An honourable member interjecting:

Mr HILL: He has, yes; he is a very good minister. The Minister for Human Services pointed out on the radio programs that, if anyone was in any doubt, he had argued for more money and he had lost and there were going to be cutbacks, longer waiting lists and problems with delivery of services. I must say that, if this was a fair dinkum government which had some strong internal discipline, the Minister for Human Services would have been sacked on Friday because of this disloyalty. I must also say that, if the Minister for Human Services believed in what he was arguing, he would have resigned on Friday as well because he had been done over in this budget, but both he and the rest of the government demonstrate their absolute hypocrisy and their dedication to fighting each other, rather than fighting for South Australia and for better health services for this state, by their continual argument about issues which happened several years ago.

Not only in health was there a cut but also in education. Our Minister for Education, despite his attempts in Question Time today, waving his hands and making vigorous use of his eyebrows and other parts of his anatomy, was not able to convince a soul that the education budget had not been cut. In fact, there has been an increase in dollar terms of 1.4 per cent, but when you take inflation into account that is a real cut of about 1.4 per cent. There have been cuts in budget expenditure right across the board. One area which I pinpoint and which I know the shadow minister for housing has pointed out is the disgraceful cuts in housing rent relief—

Mr Conlon interjecting:

Mr HILL: The excellent shadow minister for housing. The housing rent relief cut of \$17.50 a week affects the poorest in our community. What an awful thing to do to people who are struggling, and I know from experience in my own electorate that that will cause suffering for a large number of people. The other area where there has been a substantial cut is that of job traineeships, and the hapless Minister for Employment and Training tried to defend a cut from 1 200 to 500 traineeships as if it was some sort of magical way of improving the circumstances of people. But we know that is not the case, because the budget papers say that employment growth over the next 12 months is expected to climb from 2.5 per cent to 1.5 per cent and that will mean that there will be unemployment growth in South Australia—there is nothing more certain than that.

This has been a cruel budget—a bad budget—for South Australia. I am sure that members opposite have been aware of the wonderful extracts from the Australian *Financial Review*. I know the general community does not read the *Financial Review* but someone, I do not know who, placed in my pigeonhole and I imagine in the pigeonhole of all members some pertinent quotes about the budget.

Mr Conlon: Probably a Liberal minister.

Mr HILL: Probably a Liberal minister, as my colleague says. I would like to put those quotes on the record. I think the best of them was from the editorial in the *Financial Review* of Friday 26 May, and the headline is 'SA needs a better budget than this'. I will not read it all but the first paragraph states:

Is this as good as it gets?

According to the government whip it is, but I will not go into his speech yesterday. As he said 'Good news, good news, good news'—an extraordinary contribution to this place. The question was: is this as good as it gets? It continues:

If yesterday's budget is the best South Australia's politicians can do, the state economy does indeed seem destined to continue on its steady decline.

What an appalling thing for us to hear, and it is an embarrassment for us on this side, because we know that we can do better and we are just waiting for an opportunity to do so. It is a real indictment of this government that the key financial newspaper in this country criticises the budget in such damning terms. The final paragraph states:

South Australia needs a seriously competitive tax regime as well as efficient infrastructure and a world class education system—

I say 'Hear, hear!' to that—

but that can only be possible with better management—

that is having a real go at government members—

and a stronger budget than was revealed yesterday by the Olsen government.

I must say I think that part of the problem we have in this state is the fact that the Treasurer is closeted away in the upper house and does not experience on a day-to-day basis the real world. He does not have an electorate with which he has to deal. He does not know what it is like for people who struggle. He does not have families coming to see him who are having difficulties getting health care, housing or who have kids in need of a decent education. He does not see any of these things. He is closeted away in the upper house protected from real people.

Mr Conlon interjecting:

Mr HILL: The Chance the Gardener of Treasurers, my colleague says; he only likes to watch. Of course, I do not

know what he means. With regard to the areas for which I have responsibility, I will go briefly through water resources and environment. On the revenue side, this budget says that \$41.692 million will be spent this year compared with a budget last year of \$41.204; therefore, an increase in dollar terms of just under \$500 000. That is about 1.1 per cent. But once again, if members take inflation into account, there is a cut of 1.7 per cent in this supposedly highly important new profile portfolio of water resources with the dynamic Minister for Water Resources leading the charge; but his first act is to deliver a budget cut of 1.7 per cent. No wonder the minister is having difficulty finding a CEO to run his department. They can obviously see that there is not a great deal of commitment to this portfolio. It is all about symbolism, perception and politics, but not about reality.

Mr Conlon: Saving the Murray on a shoestring.

Mr HILL: Yes. Would you like to continue with the rest of my speech? You are giving me all the best lines!

The DEPUTY SPEAKER: Order!

Mr HILL: I am sorry, Mr Deputy Speaker. The operating revenue from sources other than the state government shows that there has been a cut of \$5.3 million for this budget. On the expenses side, there is a prediction that the budget will be overspent by approximately \$2.9 million. It is interesting to know where that extra money will come from. One thing is certain from looking at the budget papers in relation to water resources: there is less money for the Murray River.

The water resources department was put together so that we could have a better focus on the Murray River, that great issue which the Premier thought about several months ago and has not addressed since. In this budget there is less money for the Murray River, and partly that is because of big cuts from the federal government. There are no new commitments to the Murray River in this budget. I suspect it is because we have a struggling new minister and no permanent head of department. The head of department who did know about it, John Scanlon, has left the state in disgust and exasperation about what was happening. There is nobody there to argue the case for more money for water resources, and there is nobody there to argue the case for the Murray River. It is an absolute disgrace.

In terms of the environment portfolio, the budget shows that revenue will be at \$149.2 million compared with \$152.8 million in last year's budget and an estimated outcome for last year's budget of \$163 million. So, just on the budgeted figures, there is a cut of \$3.57 million or 2.3 per cent. If you take inflation into account, it is a cut in revenue on the environment of about 5 per cent. If you take into account what they actually spent, it is considerably more than that.

Once again, the government is not giving any commitment to that important portfolio area. Despite the fact that that area has a new minister who is going out very hard to make friends with the environmental movement, something which is well overdue in terms of the public relations of this government, the reality is that there is less money for the environment. I should ask the environment movement whom it would rather have: minister Kotz with more money or minister Evans with less money. It would be an interesting question for some of my friends in the environment movement to answer.

The other interesting thing I will point out from the environment budget—and there must be a reason for this—is that in the assets line, particularly in relation to plant and equipment, the assets have been devalued from approximately

\$764 million to just over \$265 million, a reduction of about half a billion in the value of the department's assets. I am eagerly awaiting an opportunity to ask the minister how that came about. Interestingly, the budget papers make no reference to this at all, and I must say—I think for the third time I have had the opportunity to talk about the budget—once again that it is very short on detail. We really do not know what is going on in terms of programs. There are lots of figures and words but little detail about what is actually going on in the program areas.

In the few minutes remaining, I will talk about some of the issues in the budget affecting my own electorate. I will refer particularly to some of the capital works projects that have been promised or told will occur in my electorate. I refer to three particular areas. First, in relation to health, I note with great concern that the commitment in last year's budget to develop a 50 bed mental health facility at the Flinders Medical Centre has been dropped from the budget papers. That was to have cost \$7.5 million and it has disappeared. That is a great tragedy.

I know from talking with my constituents that there is a great need for mental health services in the southern suburbs. It is a long way to Glenside from Christies Beach when there is an emergency and people need help. I know that people in the mental health area were very much looking forward to that facility. It is a great tragedy. I want to know from the Minister for Human Services why that has gone.

The Noarlunga Hospital redevelopment is still on the books but it has been delayed. The completion was due in September this year, but it has dropped out to May 2001. That is another example of the way in which this government fudges the figures and pretends to have a bigger budget than it does, by allowing slippage from one financial year to the next.

The third issue in the area of health relates to the Flinders Medical Centre critical care unit which has been delayed from September 2000 to November 2001—a slippage of some 14 months. As someone who regularly goes to breakfast at the Flinders Medical Centre, I know how desperately that unit is needed and how much my constituents and other residents of the southern suburbs need that centre. That is another example of slippage and fudging in the budget.

In the area of transportation, I note that the Southern Expressway completion has been delayed from 2000-2001 to 2001-2002. Another 12 months has been added on. In the original papers, the expressway was supposed to have been finished by the end of last year. Once again it has been allowed to slip. Commercial Road, which goes through my electorate, has on the other hand been moved forward one year to be completed in 2004-2005. I do not believe this. The deadline for that project has varied every year since I have been watching it. Prior to the last election, the minister organised a consultation process and promised the local electorate that it would be completed in the next two or three years.

After the election when the then member, Lorraine Rosenberg, lost the seat, there was suddenly no deadline to the project and all consultation was put on the back burner. However, I am pleased that it is still in the budget papers, but I note that only \$1.485 million has been committed this year to this \$15.4 million project. I hope that that money is used to fix up the Dalkeith-Nashwauk intersection, a dangerous one where a couple of fatal accidents have occurred in the last 12 months or so.

The other issue to which I wish to refer is sewerage. I note that the Christies Beach waste water treatment plant environment improvement program upgrade has been cut from \$16.8 million to a staggering \$9 million. Some \$7.8 million has been cut from that project. I understand, having received a briefing yesterday from United Water, that part of the explanation therefor is improved technology, and a process is being used which allows better treatment without building more plant. I hope that this is the case, and I looked forward to confirmation from the minister during the estimates process. If it is just a cut to save money without fixing up environmental problems, that would be a great tragedy.

The other issue I raise is police numbers. It has been noted that 113 extra police will be appointed as a result of this budget. I guess that is to be applauded. Finally, the minister, the Treasurer and the Premier have listened to the arguments put by the opposition and the community over a period of time, and that is to be commended. However, I ask how many of these 113 extra police will be applied to the southern area at the Christies Beach station. Constituents have told me that they have had to wait for more than an hour to get police attendance to burglaries in their neighbourhood, and not just on Friday or Saturday nights but mid-week. When the police have eventually arrived, they have said there are not enough police to do the job.

So, we desperately need more police. I have written to the police minister and argued with him that we should have an extra patrol car put in the southern suburbs. I think that will cost about 10 or 12 salaries. I hope that the member for Mawson and a member for the southern suburbs—the Minister for Police—is able to put some of his weight behind this plea. We have worked together at various times in a bipartisan way, and I hope we can do so on this issue as well. I am a little concerned that a police officer at a neighbourhood watch meeting I attended just recently informed the meeting that only three of those extra 113 police will be applied to the southern suburbs. So, this is a real test for the member for Mawson to see if he can deliver to his own electorate and his own community the extra police that are so desperately needed.

Having said that, I return to my original point. This is a budget based on deceit. The Premier and the Treasurer claimed that it is a budget of surplus. It is not. It is a budget of deficit. The commentators say so. It is clear from the words of the Treasurer himself that this is so. This is a budget which cuts back in key areas of health and education, despite the claims that there is more money in those areas, and this is a job that is tough on people who are unemployed. The number of traineeships has been drastically reduced and employment growth is predicted to fall by 1 per cent to 1.5 per cent. This is a budget which does nothing for South Australia except leave people in a state of misery and it will help bring about the demise of this government, a demise which is long overdue.

Ms RANKINE (Wright): I think that what was put before us in this House when the budget was delivered was the abracadabra budget—now you see it, now you don't—by the abracadabra government: the one full of tricks. Sadly, they are not the sorts of tricks that make you laugh. They are tricks that astound our community, that stun this parliament and that leave the government's backbenchers dumbfounded and bearing the brunt in their own communities.

We can look back and remember the privatisation of SA Water in 1994. Remember, sir, it was not going to happen.

The Premier (then Minister for Water Resources) said that it was not going to happen. When it did happen, we were promised cheaper water. What happened to the cheaper water? It has finally arrived in this budget. In the year 2000-01 we will see a .9 per cent reduction—not 1 per cent, not 2 per cent but .9 per cent: a 1¢ a kilolitre reduction. I think that that is a great trick. What about the state government's fees and charges? It has told us that the general indexation increase of 2.8 per cent is not as great as the increase in the CPI. It has told us it has put its charges up only 2.8 per cent. There are a couple of tricks in this. First, when we include the GST, the real hit into our pockets—into the pockets of the community—for a range of taxes and charges will, in fact, be 12.8 per cent. Secondly, the services that affect the everyday lives of South Australians have not had increases anywhere near the 3.3 per cent of the CPI, or even 2.8 per cent. The government is raising its charges: services have, in fact, been cut. If that is not a trick to make us squirm, I do not know what is.

Our health services are in crisis in all areas. In fact, in some areas it has been determined that they are not just in crisis; they are in absolute crisis. The government has boasted a 1.7 per cent increase. That is an actual, real and significant cut in services. As the Minister for Human Services has told us, it can equate to an extra 2 000 people on our hospital waiting lists. Yesterday, the member for Elizabeth asked the Minister for Human Services about target times in treating people. She quoted the budget figures and stated that, this year, 72 per cent of emergency cases were treated within the recommended time of 10 minutes. The target in this budget is to reduce that figure to 70 per cent. The target is to cut urgent cases needing treatment within 30 minutes from 65 per cent to 60 per cent, and for semi-urgent cases requiring treatment within 30 minutes from 68 per cent to 65 per cent.

In his answer, the minister explained that people would be treated as a matter of urgency, the most urgent first, and that has always been the case. But he talked about a very minor slippage that would occur this year because a severe winter is anticipated in terms of influenzas. I have not known of a winter yet where we have not had severe cases of influenzas. When we talk about slippage in these cases, we need to be reminded that we are talking about people who are seriously ill and injured. For this government to have a target in its budget papers to make that situation worse is incomprehensible. The staff in these health facilities are under enormous pressure; they cannot continue. People's lives are continually being put at risk.

The government has tried to trick us with the capital works budget for human services. It has announced \$200 million for a five-year hospitals plan to improve the RAH, the Lyell McEwin and the QEH. That is a great initiative, but here is the trick. The QEH project has been announced, as we have heard, seven or eight times and only \$1.3 million has been allocated for that project. The trick is that it is not an announcement of works: it is an announcement of further delays. Interestingly, we heard last night from the member for Goyder that about the same amount of money is being provided to upgrade the Port Wakefield-Kulpara road. I hope that the people of the Yorke Peninsula do not have to wait as long as the people of the western suburbs have had to wait for the upgrade of their hospital. But it is not just the QEH. The government has tried to trick us about a range of capital works projects. It makes announcement after announcement but nothing transpires. It has underspent the capital works

budget over the past two years by something like \$242 million.

There has been a further allocation in this budget for the upgrade of the Modbury Hospital. It is a much needed upgrade, but the problem at Modbury is not just the buildings. There are real, serious problems of patient care at Modbury Hospital which must be addressed by this government and which cannot continue to be ignored. Education is facing the same fate as the health services. We have seen the Adelaide High School redevelopment, for example, announced for the third time. As I said, education is facing real and substantial cuts. In line with that, the government is also trying to force parents into paying compulsory fees: by stealth it wants to transfer more and more costs to parents as it gradually reduces the state's investment in our children and their future. That is the trick in education.

As we have heard several times, the government has cut 700 traineeships from the public service traineeship program, a program that has worked well. It has equipped our young people to take up vacant positions in the public service as well as in private enterprise. This is a clear indication of the government's lack of commitment to our children, when the unemployment rate is somewhere in the vicinity of 30 per cent.

Safe housing is a basic human need, and in this state it should be a basic human right. The most disgraceful trick in this budget is the trick of reducing housing stock and saying to people, 'Don't worry, we don't need to have you in Housing Trust homes. We will support you in moving to the private sector. There are plenty of homes out there.' And what has it done? It has now abolished rent relief, that very program that provided support. So, the number of houses has been cut and the support is gone: \$3 million worth of support is gone. The trick here, of course, is that it is not Liberal supporters generally who are affected by this cut: it is the most disadvantaged in our community. The minister has told us that 165 new homes will be built under this budget. What he did not tell us was that there are something like 482 homes listed for demolition or sale, if my calculations are correct. That means 317 fewer houses, while our housing is in crisis. People are being forced to live in their cars.

The Housing Trust has been forced to prioritise its priority cases. A woman who was the victim of a knife attack came to see me. She is a victim of domestic violence; there were threats against her children but she did not qualify for priority housing. So, that is an indication of how serious the situation has to be just to get on the list. In fact, a conference on homelessness has been held here in South Australia, and the convener of that conference said that more than 9 000 homeless people passed through agencies in South Australia last year. She said that this figure does not include the hidden homeless, the people who do not access services or who do not identify as homeless. She said that homelessness was a complex issue, with contributing factors including government policies such as the reduction of the Housing Trust stock; domestic violence; mental illness; drug and alcohol abuse and long-term unemployment.

Community agencies are bursting at the seams. This push to get people into the private sector, along with the reduction in the Housing Trust stock, is placing unbearable pressure on the services of these agencies. They cannot cope; they are not coping; and they cannot continue to pick up the mess created by this government. The big trick in this instance, as I said, is building 165 new homes but, at the same time, we will have approximately 300 fewer homes. The government is

making great store of providing an extra 113 police officers and 27 support staff. I am amazed that it has the gall to boast about it. We are still hundreds of police down, based on the 1993 levels and the government's promises at that time. Those promises, like so many others, have just gone up in a puff of smoke. The government has been pushed kicking and screaming into employing more police officers.

Let us not kid ourselves: the task force established by the Premier, I understand, reported to him in about December last year. I want to know where that report is. Will it be tabled? What were its findings and its recommendations? Does the employment of these few additional officers fulfil the findings of the task force or was it a case of just making a deal? Today my local Messenger newspaper was distributed and, quite interestingly, a headline announced, 'More police to cope with local crime increase.' Let me briefly read this article to members:

The inner north-east has been allocated more police to cope with an increase in local crime.

I emphasise 'increase in local crime'. The article continues:

Police Minister Robert Brokenshire announced last week an additional crime scene investigator and two administrative staff at the Holden Hill police base. . .

In addition, an extra 20 relief police officers would be available to Holden Hill's operations. It is interesting that the government has finally acknowledged the increase in crime in the Tea Tree Gully area. I have collated some figures about my local area and I have mentioned them a number of times in this House. Several weeks ago I received a telephone call from a senior police officer asking me from where I obtained the figures. They were somewhat confused, bemused and a bit stunned. The Deputy Commissioner wanted to know who had leaked the figures. In a speech in this House the police minister interjected wanting to know who had leaked the figures.

A couple of weeks ago in an editorial article by Andrew Holman I was again quoted in relation to local crime figures. Someone from the Attorney-General's office telephoned me the next day asking, 'Where did you get your figures?' The day after that someone from the police minister's office telephoned: 'What local service areas do you have in your area?' his office wanted to know. On the three previous occasions I informed everyone that I obtained the figures from the police annual report. These figures are reported annually, yet these people who make serious and important decisions about such a vital service did not even know from where those figures were available.

As for the police minister's office wanting to know what local service areas covered the seat of Wright, we gave them very clear advice and told them to telephone the police themselves. Gladly, the penny has finally dropped. The government has woken up, but there is still no police station in the Tea Tree Gully area—still no patrol base. The 20 additional police officers who will provide relief services are very welcome but it is just not enough. We want this government to honour the commitment it made over two years ago to build the new police patrol base for Tea Tree Gully. What we have seen under this government is a continual reduction in police numbers, the withdrawal of police vehicles and the closure of police stations. The only area that has increased is crime.

Today's Messenger press also headlines an upgrade to Hancock Road. I know that the member for Newland would be very pleased about this. The headline does not quite match

the government's commitment but, as I have indicated throughout this contribution, the government often does not match its own commitments, but that is by the by. The article announces budget funding of \$200 000 for the unkerbed arterial roads and states that a concept plan will be developed for Hancock Road. Hancock Road is not in my electorate but it abuts the boundary and it is an extremely dangerous road. I also welcome that initiative because many of my constituents use that road. However, it relates only to a concept plan and we know what happens with the government's concept plans.

However, the budget does not refer in any way, shape or form to Golden Grove Road. Whilst I acknowledge that it is unrealistic to expect that it would be done this year, or even next year, the government needs to understand that this matter is urgent. That road needs a proper evaluation. A supplementary development plan is currently before the Minister for Transport and Urban Planning to rezone the area near the old Golden Grove township, which will mean the development of shops, cafes and medium-density housing.

The third stage of Industry Park is under way. Extractive industries, garden supplies and heavy transport companies all use Golden Grove Road, together with increasing domestic traffic. Air International, the largest company at Industry Park, has indicated that if that road is not upgraded it will cost it jobs. I am very pleased also to read in this article that there appears to be an upgrade on the books for the Golden Grove bus interchange. I certainly look forward to receiving details about that from the minister. It is sad that she appears to have an unwillingness, however, to advise local members about what is happening, even after we have lobbied hard and worked strongly for the upgrade for such a long time. We have seen that sort of petulance from this minister before, particularly over the traffic lights on the Grove Way and, I guess, we are seeing it again. The residents, however, know who has done the work and she does herself a disservice in this regard. Nevertheless, it is good news for transport commuters in Golden Grove.

This budget has allocated \$6 million to address the grasshopper and locust plagues. Whilst I accept that funding for that measure is much needed to address those plagues, plagues throughout metropolitan Adelaide are also having a significant affect on local residents, and I refer to millipedes. It would not cost anything like that amount of money but the government must take some action in that regard.

We know something is crook when the government takes every opportunity to attack the opposition in relation to the budget. If its budget is so good it would be shouting it from the rooftops: instead, we have seen the bleating of members, such as the member for MacKillop, saying that the ALP will not tell people what it would do. We will tell the people very clearly before the next election, unlike the Liberals at the last election and the election before that. Unlike Mr Olsen! That was the biggest trick of all played on backbenchers. We remember what he said: 'We will not sell ETSA.' Members opposite went out and sold themselves to the electorate on that basis. 'We will not sell ETSA', they said. Then there was the fanciful \$2 million a day. Now they are admitting 'We did not mean it: it was just a trick.'

With respect to the emergency services levy, a number of members opposite are hanging their hats on the reduced charges. It has not worked. Quotes were read from the *Sunday Mail* yesterday but one quote was omitted: 'New poll slams levy', which appeared after the reductions. What an amazing budget: cuts to hospitals and schools in real terms and cuts

to traineeships. What we do not see, however, is a cut to the public relations bill of this government, although there is a \$40 million reduction to consultants. It is shameful when a government can announce that its aim is to reduce consultants' bills by \$40 million when our hospitals are struggling to survive. This government spends hundreds of thousands of dollars to convince us that selling ETSA was a good idea. It spends hundreds of thousands of dollars to convince us that a tax on our homes, cars, boats and trailers—anything that moved just about—was a good idea. That did not work, and the government's glossy brochures, full-page and lengthy TV advertisements will not work either.

Members can be sure, as I said, that there were no cuts to this public relations budget. Any government has a right to inform the public about its budget measures, but it does not have a right to spend public money on blatant self-promotion that is not honest. The full-page advertisement in last week's *Sunday Mail* made the claim, 'We have prioritised your concerns. We have listened to your views.' Let me tell members that the priorities of this South Australian community are jobs for their children; health services for the aged, the sick and the disabled; and education for their young and a commitment to their future—not meaningless government advertising.

This deceptive penny-pinching government is squirreling away a war chest for an election bonanza. It will not work. Too many tricks over too long a time will not work. This government has lost credibility, and it cannot buy it back. Credibility has to be earned, and it has not been able to do that. The abracadabra years, the-now-you-see-it-now-you-don't years of this government are fast coming to an end.

Ms WHITE (Taylor): I am angered by this budget. After seven budgets from this Liberal government—seven years at the helm—and after all the broken promises, we still are seeing cuts to major services in this state. If this government spent less time on its image, searching the polls and worrying about what the polls are saying, spent less funding and time on advertising and expensive consultants and all the other wastage on which it concentrates and actually got down to delivering services, it would be in a much better position than it is with the electorate at this point. Again, for the seventh budget in a row, this budget is full of lost opportunities.

In last year's budget outlays were increased by about \$450 million, but even then we saw cuts to health and education. This year, after the proceeds of the lease of ETSA, a new emergency services tax, and increased revenue from a host of other increases to taxes and charges, we are still seeing massive cuts to major services, particularly to health and education. But when—

The Hon. M.K. Brindal interjecting:

Ms WHITE: The minister can interject in what he thinks is a humorous way, but I am getting too accustomed to middle aged men coming into my electorate office and crying about the fact that they cannot meet the imposts of this government and that they cannot meet the taxes that are being imposed on them by this government such as the emergency services tax. In my area, they are about to be hit with another tax, an increased water catchment levy for which this minister is responsible. Along comes the GST, which is concerning a lot of my constituents who see themselves in some cases going out of business because of the impost that it causes.

When those constituents want to use a hospital bed, they cannot get in. They are paying more and more to send their children to public schools and, when they report crime to

police, it is taking longer and longer for police to attend. In fact, certain crimes in my electorate are receiving less attention from the police—and that is a criticism not of the police but rather of the resources that are allocated to police.

This week, there was a news report of some people in my electorate setting up a vigilante group to deal with the hoons in the area that the police just cannot keep up with. In fact, the council and I have been corresponding about trying to think about how we can attack this problem. I have written to the police minister on a whole range of these issues. I have been forced to write to do so to ask whether it is still government policy that the police even deal with certain crimes. In correspondence back to me, the council has also expressed its concern at the inability of the police satisfactorily to deal with these types of crimes. Two hundred police have been taken out of this system since this government came to power. Granted, the government has announced 113 extra police in this budget, but that is nowhere near providing the level of resources that is needed to attack today's level of crime.

In this budget, housing rent relief has been abolished. Last week, applications for housing rent relief were stopped in the local Salisbury office. People cannot get into a Housing Trust home, and now they cannot get rental assistance in the private market, either. Where is all this money that the government is collecting—all this revenue that is coming in—going? Quite simply, it is wastage. It is being spent on PR, advertising and consultants. It is being spent on mismanagement of government contracts and deals; for example, we have seen the blow-out in the Motorola contract and the disaster that was the privatisation of Modbury Hospital.

It is also going into misdirected industry assistance. I am sure that the need for industry assistance is accepted by all members but, as a member of the Industries Development Committee of this parliament, I know that it gets under my skin when I see proposals coming forward for millions of dollars which can be described only as corporate welfare assistance that is going to well established companies that could go to the bank rather than the government. This government is handing out millions of dollars in mistargeted assistance when it is closing schools and shutting hospital beds. It has lost the plot.

The government has confirmed that it still intends to close schools to save money. In the 1998 leaked documents that the opposition got hold of, that was a three year strategy, which confirmed that 30 schools were to be closed to save \$3 million. Yet in this budget, I might add, close to \$190 million has been withheld from expenditure. It is being saved up quite clearly to use in an election budget. For how many hospital beds could that have been used? How many schools could have been built with that money? They are very relevant questions. That sum of money is just sitting in a Treasury account for an election year, and that is quite an immoral thing for the government to do.

However, the government still cannot balance the books. I am not the only one saying that: the economic commentator, Standard and Poors and others have pointed to the fact that the Treasurer's surplus is actually a deficit and that, after seven budgets and \$8 billion of asset sales, this government is still cutting health and education expenditure massively; in fact, in the education area it is dipping into the cash reserves by \$28 million just to balance the books.

I now turn to the matter of education. Today in question time the minister said several times:

We have increased education spending by \$47 million.

That is a false and misleading statement. The only people who may believe the Minister for Education would be his own back bench; he must have aimed the comments at them because everyone understands and the minister has publicly stated that there is a cut to this budget. The expenditure on outputs by portfolio, which is found in the budget at a glance paper, clearly shows that in this current financial year \$1.685 billion was spent and the budget for next year is \$1.708 billion, only a 1.3 per cent different, less than the inflation rate. And, if the health minister can stand up and admit that his 1.7 per cent increase in health spending is a cut in real terms as it really is, surely the education minister has a big problem in trying to continue with the fallacy that he has increased spending in this budget. Members can come up with any figures they like, but this is in black and white.

Members interjecting:

The SPEAKER: Order, the member for Goyder!

Ms WHITE: In addition, if members look at the capital works budget for education, they will see another major problem. In its budget papers, the government claims to have spent roughly all the \$80 million that was budgeted for capital works last year, but what pops out of the capital works program is that over \$15 million of capital works that were announced as new works in last year's budget appear again as new works carried forward in this year's budget. They include the Adelaide High School, which has been announced for the third time, and seven other major reannounced projects, namely, the Clare High School redevelopment, Cleve Preschool, Cowandilla Primary School, Fregon Anangu schools, Marryatville High School, Mitcham Girls High School and Mount Gambier East Primary School. Over \$15 million worth of major capital works projects have slipped.

In addition, there are works in progress that have clearly slipped in this budget. While it is difficult to track the full extent, it is clear that the Oak Valley Aboriginal School, the Two Wells integrated service and the Woodville Special School project, which were due to be completed in last year's budget, were not completed and reappear in this year's budget. That involves around \$1.5 million. Just in those obvious things that jump out from the capital works statement it is clear that about \$17 million of work that was budgeted for last year was not done, and there will be others that, in questioning in the estimates committee, will come to light. Even though the government is claiming to have spent \$80 million on capital works, as budgeted, clearly those works were not done and that money has gone elsewhere.

In TAFE, a lot of the capital works glory for which the state government claims credit is federal money. What has happened to TAFE students? This year some of them suffered TAFE fee increases of almost 100 per cent. Some fees in TAFE institutes doubled. Despite what the minister says, TAFE is becoming more and more expensive for students to access and that disadvantages the most vulnerable students.

All this has come about after the minister promised great returns from the ETSA lease-sale. Let me remind members what the minister said could happen after ETSA was sold. On 24 February 1998, when the ETSA sale was being debated, the minister said that, with the ETSA money freeing up interest payments, he would be able to employ an extra 40 teachers a day, an extra 70 SSOs every day, aircondition every school and preschool within 40 days, provide 170 state-of-the-art child-care places every day, build a new TAFE

campus every week, eliminate current school maintenance backlogs in a month, provide 1 000 computers for every student every day, and build three or four special education units every day.

ETSA has gone and the government has a new tax in the emergency services tax. Its revenue has clearly increased but what has happened to education spending in real terms? It has been cut. In what should be the government's priorities, health and education, instead of the windfall promised even a week ago by the education minister, who claimed that there would be more money for education, education has suffered in real terms a significant cut, and that means a cut to schools and child care and a very significant cut to TAFE.

On top of all the expense that has not been covered by the government, schools have to deal with the added burden of GST, and they are not being compensated by the department for that added cost. It will mean an increase in school fees. The government has frozen grants to schools over the last three years, despite the increased costs, particularly as a result of the increasing cost of technology, and despite the added impost that the GST will mean for schools. The minister is still unable to say what portion of public school fees will attract the GST. His response is simply to say that it is a school matter and that schools will work out what their liability will be.

The government has starved the schools of funding and now it is turning around and shifting its responsibility directly onto schools, forcing schools to increase fees so parents have to fork out more for a public education system. On top of that, the government plans to go ahead with school closures. Given the proceeds from the ETSA lease that are now coming through, why is the government still intending to close schools? Why is it still intending to make cuts in the budget? Why did we not see the social dividend promised by the minister and the Premier in education particularly?

In all, this budget has little joy for my constituents and for people all over the state. It will lead to added hardship for people who live in the northern suburbs, which I represent. It will mean that people have less assistance and fewer services, and that is what my constituents cannot understand. Why is it that, when they pay more, when more assets have been sold, that this government cannot manage its books, cannot balance its budget and is still cutting massively into those major services, which are, after all, the main task of government? If the government cannot provide those basic services with all that revenue coming in, there is something clearly wrong and this state and my constituents deserve better.

Mr LEWIS (Hammond): I begin by drawing attention to the fact that there are not many societies on earth where it is possible to get reliable supplies of wholesome vaccine for the control of what would otherwise become epidemic diseases. There are not many societies on earth where that has been available at times convenient to the citizen, fitting in with what the citizen chooses to do with their life. In South Australia, we are in the fortunate position of being able to do that. Having said that, I commend the present Minister for Human Services, as well as former ministers for health in any governments, for maintaining that approach, where our hospital systems, as well as our general practitioners, either or both, make those immunisation services available throughout the wide community of South Australia and, again, at great benefit to the state.

I make the remark particularly because I think there is a grave and urgent responsibility upon us all to tell our constituents that the most sensible thing we can do as South Australians, if we want this state to continue functioning with some measure of certainty during the forthcoming winter, is to be immunised against the new strain of influenza which is spreading across the world. We need to be ready for a pandemic. If we do not set an example, if we do not talk about that, then I think we will be in trouble as a society. We also ought to encourage our children to understand that it is there for the benefit of each individual person and for society at large.

Imagine what it would be like if 400 000 South Australians were working at well below their capacity, whether school children or South Australians in the work force or those who are at home doing whatever is necessary. That is around 40 per cent of the population. I guess we expect that will not happen. The flu strain which is now establishing itself in some places less fortunate than Australia, and establishing itself fairly rapidly, is just that kind of disease. Of that 400 000 to 450 000, at least 150 000 to 160 000 would be bedridden and incapable of looking after themselves for 10 to 14 days or more. This parliament, if one were—as is reasonable—to accept that it would be an abstraction of the entire community, would therefore find itself with only 20 to 25 members able to take their place in the chamber; others would be so ill they could not be here. That is the reason why I draw attention to it, not so much for the sake of this House in that sense but, rather, to illustrate the urgency and importance of dealing with the prospective pandemic that will hit us if things are not otherwise very kind to us.

That brings me to the next problem, which is the very unfortunate and inadequate funding that is available, even though there is an increase, in this budget for biosecurity measures. Presently, there are two plagues which could hit South Australia later this year. I am not here to be a prophet of doom but I need to draw attention to these grave risks. Unlike any time in the past 30 to 40 years, we have now, spread out across South Australia, to my certain personal knowledge, more locust egg beds than have ever been put down by that pest insect at any time in my lifetime. From the channel country (in Queensland) right through the pastoral far north and upper north, from western and north-western New South Wales right through to Spencer Gulf, locust beds are extending southward to the Riverland and points as far south as Robertstown and the like in the Mid North.

Those locust beds will hatch in the spring unless there is very severe frost. Certainly, the frosts we are having are killing off the adult insects but they have been on the wing and the vast majority of them—the billions upon billions of them—have laid their eggs. If weather conditions are not very unfavourable for locusts, we will have plagues like we never saw in 1955 or 1947 when, I recall as a five year old, the backyard garden, as we called it, on which we relied for our sustenance (indeed, we bought very few vegetables of any kind), was wiped out in less than 40 minutes. The vines and fruit trees were stripped of everything green on them and there was not a blade of green foliage anywhere in that garden 40 minutes after the locusts landed.

I remember the devastating effect that had on my older brothers, my mother and me at the time. That was in Cudlee Creek at a place called The Prairie. It was so devastating. We could not even see where the radishes had been growing just 30 minutes before. The locusts had eaten so much of what was there. Indeed, it was not possible, without suffering great

pain and discomfort, to walk around outside in that plague—that swarm—when it landed. I remember trying to use a wet bag in the first instance to beat the things off, drive them away, but to no avail. I know, after it was over, that locusts were everywhere sitting on every damned thing and they moved off the next day, but the stench of where we had beaten them was foul and the earth was awash with the dead bodies and a slush of locusts we had crushed; but, for every one you killed, 1 000 came to his funeral. So much for the meagre \$2 million we have available to address that problem if weather conditions are not very unusually different from those existing at present. They have to be very unusually different to destroy that prospective plague or plagues.

It is not as if that is the only threat posed to us as South Australians. There is another bigger threat, that is, as I have mentioned in the House before, branched broomrape. I am not the least impressed or happy with the present policy of strategic containment. We have completely ignored, without any regard whatever for the people who have been affected, the losses they have incurred as a consequence of the implementation of a policy which strictly quarantines everything they have. There is no compensation offered or paid. Some people had their entire potato crop ready for harvest, only just prepared for harvest, to the point where one day later they would have been digging, yet 40 days later they had not been allowed to shift one potato and they lost hundreds of thousands of dollars.

The Hon. M.K. Brindal interjecting:

Mr LEWIS: It is most distressing. If it happened in the metropolitan area in any marginal seat, a government of any political persuasion would immediately jump to the rescue and do something for those people who, through no fault of their own, lost everything in consequence of the quarantine proposition. It is just not good enough. While we rely on the good grace and good nature of the people who live there and who are hardworking—they accept there is great risk in farming—I do not know that it is reasonable for us to expect them to cop the consequences of our deciding to protect the entire nation from this pestilence.

Branched broomrape, as I have explained to members before, grows without any foliage. It completely colonises the plants that are its hosts. It is a parasite which strips away their productive capacity. They are usually broadleaf plants and most of the vegetable species that we know. They send up lilac coloured flowers on spikes. It is called rape because it literally rapes its host of everything the host plant has got and the spikelets look like a straw broom when they first come out of the ground with the lilac flowers. Where they have germinated for only six or seven weeks, within six or seven days, or even in five days in ideal conditions, the flower spikes will emerge, bloom, fertilise, set, shrivel and be gone, and that plant, that one inflorescence, will have set up to 800 000 seeds. They will stay in the soil not for one, three or five years but for decades without germinating until that seed, which is no bigger than the finest grain of pepper you can imagine, touches the root hair of the host plant where the root hair is about to divide in growth, and the enzyme in the outer coat on the root hair stimulates the branch broom rape seed to germinate. It then immediately sends its radical into the host plant and beings to colonise the host plant tissue.

That pest will not only make it impossible for us to sell our cereals overseas because we will not be able to claim that they are free of this curse, but it will also destroy the value. I have said before that it would be at least \$3 billion, and that is modest for South Australia. For the whole nation, it will

probably involve about \$50 billion a year. It will wipe out all pasture legumes. It will make it impossible to grow vegetable crops anywhere without first fumigating the soil, and it will make it impossible for us to sell our vegetables into the East Asia market because we will not be able to guarantee its freedom from broom rape seed, and we cannot fumigate fresh vegetables with methylbromide to kill it. The only way to deal with this pest is not to spray out the host plants with weedicides but to identify the location of the broom rape by planting host plants, and inspecting them for the emergence of the inflorescence, and the moment you find it, stake it, and when the time for emergence is over, fumigate it.

I have mentioned that and the dosage rates previously in greater detail. It is not good enough just because the wider community does not say anything about such problems to ignore them and/or, more particularly, to do too little, because it is too late to leave it too much longer. It could have been easily controlled eight to 10 years ago when it only covered a few hundred square metres. Now it has spread out across 2 000 square kilometres, and it is still spreading. I do not believe that the so-called policy of strategic containment has worked, and indeed any honest scientist or biometrician would tell you that it has not. It has been a failure, and we have done nothing in this budget to fix it.

I want now to turn to another problem in pestilence where I think we are on the wrong tram and going in the wrong direction. We see that \$1.5 million has been allocated for needle exchange. I believe compassion is in the opposite direction. It is an oxymoron to talk about making injecting intravenous drugs safe. That is just silly, ridiculous and idiotic. It is like putting a male and a female rabbit together and saying 'There will not be any additional rabbits.' If you feed them, nature takes its course, and that is the case in this instance. If you make heroin available, and make the idea of its use in the mind of the person who will be tempted to use it for the fun of it, and who will be encouraged to use it by those who want to profit from the sale of it, appear more respectable and acceptable by providing the needle exchange, you will get what we have today, and that is not 100 dependent intravenous drug users, as we had 25 or 30 years ago, or thereabouts: you will get what we have got, namely, 16 000 users. Indeed, you will get more than that. It will go on to multiply in much greater numbers as it has in every other society where these things have been done.

I think that is crazy, especially as you are really saying, 'We will subsidise people's self destruction with public money which could otherwise have been used to fix the pain being suffered by other people who need hip replacements'. We will tell them, whether it involves a knee, a hip or anything else that they need (the so-called elective surgery options), 'You can put up with your pain: we believe that we should be subsidising intravenous drug abuse'. That is what the government is really saying to the population at large, and it is about as equally sensible as the proposition being put by some people to make it lawful to seek the services of a prostitute and to provide as a prostitute those services that are being sought. There is nothing to my mind more destructive of self-esteem than to allow or to encourage people to think that that is a sensible vocation. The mind boggles. Where the hell do you go for WorkCover for such people? How can there possibly be safe sex where you say it is compulsory to use a condom, or whatever else is said will give the activity some measure of safety? Do you put fibre-optics into the genitals to check it out and to make sure that a condom was used? Do you make it an offence if there was not? And who

pays the bills when it does not happen and there is an adverse consequence for the users? The mind boggles. It is a 'Do you want it in the front or the back' sort of deal.

The Hon. M.K. Brindal interjecting:

Mr LEWIS: I do not think you can. To my mind, I think the whole proposition is mad. It is probably safer to procure the services of a donkey or something. Let me now turn to another problem that I see arising as a consequence of this budget which is not helping me or the people whom I represent at all. Whilst they have a lot to celebrate, there is not much more than I have referred to about living in country areas where, by and large, there is less crime and things of that order that make it difficult to raise a family with any certainty—people suffer with great forbearance.

I now want to draw attention to the unfortunate decision to defer public works for the rebuilding of the Murray Bridge Hospital which people in our entire region believed was going to occur. It simply means that the provision of hospital services in Murray Bridge will continue to be well below the level of efficiency that could be achieved, and I am talking about efficiency in terms of recurrent expenditure. We had a stage 1 redevelopment in 1984, but stage 2 should have been pursued. However, the Labor government did not do it.

The hospital has conducted a needs survey of more than 100 000 people in the region with the services that it provides through the specialists who consult there, and so on. They are people in the Fleurieu, the near hills, the mallee and the Murraylands. The hospital has established a link with the Mount Barker Hospital in that respect under which the Mount Barker Hospital will become a high-tech hospital. The high population growth that is occurring in our region now, as the tunnel through the hill under Eagle on the Hill is making the real estate and lifestyle of the Adelaide Hills, the Bremer Angas Plains and the Murray Plains far more attractive and is affecting the dynamics of planning changes, is—

Time expired.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

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

Motion carried.

Mr WRIGHT (Lee): It is always a pleasure to follow the member for Hammond, especially when he is in such sparkling form. He certainly covered a very broad range of areas tonight. I am not sure that I followed them all, but I acknowledge the depth of the presentation. This is the seventh budget of the Olsen Liberal government, and I might say that along with a number of my colleagues—and I suspect if the truth be known, a number of government members as well, although I do not expect them to come in here and say it—I believe that this budget was a real surprise and a real dud.

After all the hoo-ha and all the political noise that had been made about what the state would get as a result of the ETSA lease, this budget really does amaze me, not only in terms of its delivery or the lack of what it provides in social dividend to the state of South Australia, but also from the point of view of a political document. If we think it through, I suppose that would be part of the reason why there has been a lack of government members who have come into this chamber to sing the praises of this budget.

This budget had the potential to offer far more than it has done. We on this side of the House sat back for a long period of time while this government came into the chamber day

after day, minister after minister, talking about what would happen, what the potential was if and when we had the ETSA lease. We expected far more from this budget, and there have been a number of cases which I think quite conclusively have proved that the early information that came from the government about the budget was simply not correct.

There is little doubt that this is a deficit budget. Standard and Poors and the *Financial Review* have said that, and even the Treasurer has subsequently come out and admitted that this is in fact a deficit budget. We should not be surprised by that because previous Olsen Liberal budgets have been just that. They have been deficit budgets, after the taxpayers of South Australia have been told that they were in fact surplus budgets. We were told that the last two budgets previous to this one were in surplus, but in fact in 1998-99 we finished up having a \$65 million deficit budget, and in 1999-2000 it turned out to be a \$39 million deficit.

In this financial year we will have another deficit budget. The government is telling the taxpayers of South Australia and is trying to tell this parliament that we have a budget which is in surplus, but that is simply not the case. You need go no further than Standard and Poors and the *Financial Review*, and I suspect even subsequently the *Advertiser*, to get that information. Notwithstanding that, even in recent days the Treasurer's own words acknowledge that fact.

In addition, despite the noises of this government over a long period of time about how good it is at financial management and balancing the books, let us not forget that the sale of the casino has boosted the bottom line. We have also had the raiding of cash surpluses held in a number of our electricity entities prior to the privatisation. That is the second main feature of this budget.

Thirdly, we have another example which has already been highlighted by the Leader of the Opposition, the shadow Treasurer and other members on this side of the House (and this is the oldest trick in the book): this government is holding back money for an election year. That is simply not good enough. Not only is it not good enough for the taxpayers of South Australia: it will not work. Those days are well and truly gone. The voting public in South Australia and Australia-wide do not fall for those tricks any more. If there is money available, this government would have done best—not only for the taxpayers of South Australia, although that is the critical aspect—to use that money in key areas. I will go through a few of those key areas during my presentation.

What this government has chosen to do is hold back money for an election year, to squirrel away the money and to come forward with announcements in 12 months' time or at a time of its choosing. Not only is that immoral in relation to the taxpayers of South Australia but politically it is inept. Politically it is a dumb move, and the public of South Australia will see straight through it. This government has sold approximately \$8 billion worth of state assets, it has rid itself of 20 000 public servants, and it has also increased taxation by \$900 million.

There was an expectation on this side of the House, after being rammed day in, day out, month in, month out, over a long period of time about the ETSA sale and about the \$2 million a day to be saved. The ministers came in here regularly saying there would be \$2 million a day in this area if we had the lease of ETSA, and \$2 million a day in another area if we had the lease of ETSA. In answer to all the dorothy dixers, they stated what they would do in education, health, police, local government, housing and roads—well, they have done nothing. The expectations that they have set in this

chamber and in the broader community of South Australia as a result of the con—

Members interjecting:

The Hon. M.K. BRINDAL: On a point of order, Mr Speaker, I am thoroughly enjoying the contribution of the member for Wright, but I cannot hear for the noise opposite.

The SPEAKER: There is no point of order.

Mr WRIGHT: I thought members of the government were bad enough, but talk about this mob on my side! The expectation that was raised in this chamber, led by the Premier who is meant to be leading this state, about what would occur as a result of the lease of ETSA, the \$2 million a day in all of these various areas, has just been a hollow promise. It has been a dud promise by this government. All it has done is to set an expectation on which it has failed the community of South Australia.

In addition to what I have said from a macro economic point of view, if you look at the expenditure areas, obviously across a budget there are a whole range of important areas, but most of us in this chamber would agree that health and education are key areas that we would all want to prioritise. In those two areas alone, this government has simply failed. What can be more important to our state and to the people in our state than those two areas of health and education? What can be more important than making sure that our people have a health service that will look after them? What can be more important than having an education system that will ensure the future for our kids?

We know, as does the government, that in real terms there has been a cut in the health and education budgets. That is simply not good enough. That is not good enough for a budget of this nature. This is the seventh budget brought down by the Brown-Olsen Liberal Government, and it is extremely disappointing to the community how this budget has failed those particular areas.

In real terms, the human services budget has been cut and last Friday the Minister for Human Services—and let us give him credit for this—came out and said just that; that, in real terms, there has been a cut. If there has been a cut in real terms in that area, even though the cut has been slightly higher in the area of education, where is the Minister for Education? Why is he not standing up for his portfolio? If the Minister for Human Services can come out and tell the public of South Australia that his Premier and his government have let him down and have let his portfolio responsibility down, with a bigger cut in real terms in education, why does the Minister for Education not stand up and speak for his area? The Minister for Education does not have the same conviction or the same courage as the Minister for Human Services has. I am not too sure what is going on with this government. The two biggest spending areas have both received a cut in real terms: one minister comes out and acknowledges that and apologises to the public of South Australia for the ineptitude of his Premier, and the other minister squibs it.

Many people out there in the community are sadly saying that this is the budget that Dean Brown had to have. The reason for that, of course, is that while Dean Brown is the Minister for Human Services his portfolio will never be treated in the way it should be, because everyone in this chamber knows, as do the media and the public, that there is a real conflict between the Premier and the Minister for Human Services, and this is the budget that Dean Brown had to have. The Minister for Human Services is not being treated in the way that he should be treated regarding the needs of his portfolio.

The Hon. M.K. Brindal: What rubbish!

Mr WRIGHT: It is all very well for the member for Unley to sit there and say, 'What rubbish,' but he cannot keep a straight face. The smile on his face is so large that he just cannot hold it back. He knows, as do all of us on this side of the House, that the conflict, the divide and the gulf between the Premier and the Minister for Human Services will never be resolved while we have the current Premier sitting where he is not providing his minister with the support that he deserves, not providing his portfolio with the support that it deserves and not providing the community of South Australia with what it needs in the area of human services.

The Hon. M.K. Brindal: That's wrong: we are a team over here.

Mr WRIGHT: The member for Unley talks about a team. We know this team: the government team is a broken team, a shattered team. It is like a broken record. It is like a football team that has not won a game trying to peak for the last game of the home and away season just to get off the bottom of the ladder. That is the team ethos on that side of the House.

The shadow minister has already given a number of examples in relation to the capital works area, and I do not need to go back over those but I would like to highlight one example in the western suburbs, in the area which I am lucky enough, and proud, to represent. The capital works program for the Queen Elizabeth Hospital has been announced now for the eighth time without any work occurring on the hospital. What does this government take the public of South Australia for? Does it think that the public of South Australia are complete mugs? If it does, it has made a very big mistake. Everyone in the western suburbs knows that this capital works program has been announced and reannounced.

The shadow education minister has explained in great detail, in the time allocated to her, the cuts that have occurred in real terms in respect of education. With respect to the education budget, we have a situation where grants to schools have been frozen for the past three years. We have increasing demands upon schools and upon the school population, and school costs are increasing in the area of technology. The GST will have another impact, of course, upon schools. But once again, in real terms, we have a cut in education. This is another example of this government's having its priorities wrong. In respect of Partnerships 21, in terms of the costs that are associated with schools, we have money being diverted away from key areas because of a policy position of this government. We have capital works where slippage is occurring time and again. Of course, we have also had a massive cut to the public sector traineeships program, where there has been a reduction in numbers from 1 200 to 500. We have had an announcement in the budget of a modest increase in job growth of 1.5 per cent.

Where is the social dividend in this budget? Where is the social bonus that we have all been waiting for, that we have been conned into believing would come into this budget? Where is the ETSA bonanza that has been promised by the Premier? It is just not there. The Treasurer has also been quoted as saying that we are starting to see the gains. Where are the gains for the public of South Australia? Where are the gains for the punters? Where are the gains for the real people out there who have to put up with this government and its policies? We have seen the somersaulting with respect to the emergency services levy—as if the government thinks that it will fix it by the reductions that it puts in place.

I would also like to make a few comments about the areas of tourism, recreation and sport and racing. Of course, these

are areas that I will be able to go through line by line with the ministers during the estimates committee hearings. We are pleased that finally the government has picked up Labor Party policy in respect of regional tourism. We welcome the government's initiative with regard to a modest increase in regional tourism and note that the government has picked up the calls by the Labor Party for a greater slice of the action for regional tourism. We have also noted (and I think the minister spoke about this in the parliament today) the additional money that has been made available to the Active Club program. Once again, members on this side of the House are generous in their support of this program, and we look forward to assisting our local clubs in this initiative that the minister has been able to bring forward.

Sir, in the area of racing, as you would well know, very little has happened—hardly anything. There is a small reference to the TAB. Of course, we have been waiting for three years with regard to the TAB. With respect to revenue rationalisation, that is five years old and still nothing has come as a result of it. So, when it comes to racing, there is very little in the budget for the racing industry.

We also note a reference to the Hindmarsh stadium, with an additional \$2.9 million that is being called for. That is an area that we will follow through in the estimates committee hearings. My time is running out and my colleagues' hands are bleeding; they are clapping so much. I thank them for their support but just highlight—

Time expired.

Ms THOMPSON (Reynell): It is late at night and people have canvassed well the issues in this budget. However, I think I have been given the honour of concluding for the opposition because, amazingly, I have been able to find an area of significant increase in expenditure. My colleagues have well indicated the cuts, particularly as they relate to education and health, and the minimal increase in the area of police when we need so much more, yet I have been able to find an area where expenditure has increased by 21 per cent. This area has increased from \$12 532 000 in the 1999-2000 budget to \$15 115 000 in this year's budget.

I am sure that members would be interested to know which area is so important that it warrants an increase of 21 per cent from one budget period to the next at this time of straightened circumstances. I am sure members will be pleased to know that the increase relates to the cost of ministerial offices: the only area in which we have been able to find a significant increase in this budget is a 21 per cent increase in the cost of ministerial offices. Looking at the performance of this government in relation to ministerial offices, we see that the increase is actually not so great because the government was not able to contain expenditure this year in the area of ministerial offices.

From the government's budget in that area of \$12 532 000, its estimated expenditure is \$14 020 000, so it will have an increase in expenditure this year to the budget next year of only 7.8 per cent. What a disgrace; what a travesty; and what an insult to all the battlers who are looking for real services. Having identified the opposition's area of priority (I am sorry, I meant the government's area of expenditure; I have been prophesying a little, as it will not be long before it is the opposition), being its own officers, let us look at some of the areas where that money could have been allocated: \$3 million could have covered increases in police, health, and education.

As we know from the replies from various ministers, \$2 million, let alone \$3 million, makes a lot of difference in each of those areas. In addressing the expenditure, I want particularly to endorse the remarks of the member for Kaurna, who raised the issues that are important to the south, the priorities of the people of the south and how these are addressed in the budget.

One area that was not mentioned was the still outstanding issue of the resolution of support for Mobil, and the need for a resolution of that issue that has now been on the books for 12 months. The City of Onkaparinga still does not know what its rates will be from Mobil. The government is in there, stirring away, but not putting its money where its mouth is or giving any support to the City of Onkaparinga, which provides valuable services to the people of the south.

In his remarks the member for MacKillop referred to schools being in bad repair seven years ago. Unfortunately, I must assure the House that schools now are in what would be described not only as bad repair but a disgusting condition. In this respect, I refer to the Christies Beach High School which, in last Friday's inclement weather, was flooded. This school, members will recall, was restructured with a grand opening last year. We welcomed the investment in the south through the restructuring of Christies Beach High School. Unfortunately, the government did not manage in this case to go all the way, as it seldom does. While some new areas were built, much of the school was refurbished. However, it was refurbished in a totally inadequate manner. The result of this refurbishment was that last Friday water was literally pouring in through the ceiling in the tech studies area. The flow was so rapid that the teachers removed one of the ceiling tiles so that they could direct the stream of water away from the machines.

When I inspected the area on Monday, rust was all over the machines. Every item of metal supplies that had supposedly been quite appropriately and safely stored was covered in rust. The floor of the tech studies area had been varnished as part of this refurbishment when it should not have been: it is most unsafe to varnish a floor that will be covered in sawdust. Nevertheless, it had been varnished. As a result of all the incursions of water, the floor has warped.

It is really hard for people to believe a verbal description of what it was like. Certainly when it was described to me over the telephone I did not appreciate that when I got there I would find walking so difficult because some of the floorboards had risen two inches. Walking across the floor of the tech studies area was like being at sea—the floor was so uneven.

The Hon. M.K. Brindal interjecting:

Ms THOMPSON: The Christies Beach High School. The minister knows about it, but I have not yet received a response. In the home economics area, the water again poured through the ceiling and the windows. The downpour was such that every sewing machine, microwave and stove was affected by water. The power circuits were unsuitable, so all the food that was in storage in fridges and freezers was at risk. I do not know yet whether the staff managed to save it by using an extension lead from a distance away. We do not know whether any of those machines will be able to be used. They are all being examined by electricians to see whether any of them are salvageable.

In the art room it appears that the students and the staff have been putting up with far less than satisfactory conditions for some time. In fact, every night they check whether the forecast is for rain. If rain is predicted, they move the day's

work away from the windows where it might have been set to dry because the chances are that it will be wet in the morning. The teachers and the students have been putting up with this (and I am referring to the area that was refurbished just last year), but it is simply not good enough, and the deluge last Friday has brought the whole issue to crisis point.

The Hon. M.K. Brindal interjecting:

Ms THOMPSON: Stevens Construction, about which there were problems in relation to Glossop High and which is still on the DAIS approved contractor list for level two contracts. This matter has been raised in the Public Works Committee, as well as with DAIS and DEET, but this week we have seen the results of this poor construction and the failure to invest properly in education in the south. We recognise the importance of the vocational college and are pleased that the college has been established. However, what message does it give to the students of the area when these are the conditions under which they are working?

The Hon. M.K. Brindal interjecting:

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

Ms THOMPSON: The member for Flinders talked about the effect on the budget of the delay of the sale and lease of ETSA, and for this she blamed the Labor Party. There can be no blame to the Labor Party for any issue relating to ETSA. The blame must lie fairly and squarely with the government, which failed to take this issue to the people at the time of the 1997 election. The Premier came into the chamber and announced some time shortly after the election that he had only just been made aware of the risks to the state purse as a result of the competition policy and the state's relationship to ETSA. This was in 1997. The Hilmer report came out in 1993. I read it in 1993. Anybody who had any understanding of competition policy and of government business could identify at that time that the relationship between the utilities and government would be affected.

In 1997, when the opposition leader took up the matter with the government, because we had information that, indeed, the sale of ETSA was on the agenda, we were told, 'No, never! Watch my lips!' It seems that the Premier decided that it was better to be incompetent than a liar and said, 'No, we were not lying then; we've only just learnt about the implications.' The implications were there. The matter should have been taken to the people of South Australia. I think I know what their judgment would have been. However, we will never really know. Because of that, we have had this kauffuffle, this grave waste of money on consultants, all to do with the sale or lease of a resource that most people in South Australia want to retain.

We have also heard several times that we should be able to read our budget papers better. This is the third budget I have seen. I have checked the papers from the last two budgets and found that both of them are in totally different formats from that of this budget. How are we supposed to be able to follow through and track expenditure and whether government promises have been delivered when a completely different approach is used to the budget every year? This year, the government has invented new performance indicators. This means that we do not have any idea how many of the indicators from last year were delivered. We found that in those performance indicators there is a constant indication of a lack of service.

I decided just to go through the budget at random and look at a few areas without any particular preference, and I will share with the House some of the things I found. One of the

first areas I opened was that dealing with personal financial assistance. This area deals with electricity concessions, water and sewerage concessions, council rates concessions, transport, funeral assistance, spectacles assistance and patient transport assistance. My conclusion from looking at what was happening for this year, between the budget year and last year, is that concessions simply will not move. Generally, it is assumed that we will not have any more people needing electricity help, water help or council rates help or transport concessions.

However, we will have a few more people in need of funeral assistance. I say that because the papers indicate a \$20 increase. We will have a few more people in need of spectacles assistance, as that budget is increasing from \$73 000 to \$75 000, and that is a welcome increase. We see the major increase of \$5 000 in the area of patient transport assistance. Basically, if you are in need, do not look for any support from the government unless you are dying, going blind or being shuffled from one hospital to another. And we know that many people will be shuffled from one hospital to another because various public hospitals are not providing the services they traditionally have provided. I suppose, in a small way, I am relieved to see that the government has allowed for that in the budget because it is providing this extra money for patient transport assistance.

On the opposite page there is an item about homelessness. We see that a target for the government for this year is to provide 2 300 accommodation places for those at risk of homelessness. I would like to be able to say that this is an increase from last year. However, nowhere could I find the figures relating to what happened last year, so I don't know whether it is an increase, a decrease or something that is constant. We know that homelessness is a major problem in our community, particularly in the south, and homelessness often takes the face not of people sleeping under bridges but of families camping on the floors of friends and relatives—10 people in a two bedroom house; this is the sort of homelessness that I see.

Over the page, we see what is happening with public housing. As at 30 June, there is an expected decrease of 950 tenable dwellings. If we look at the number of new households tenanted in the year, we see that there is a decrease of between 300 and 500 families. We look to see whether perhaps some of the decrease has been taken up in community housing, but no such luck. There has been an increase in community housing of 180 houses. It is expected that this will accommodate an extra 450 households. How this will quite work, I do not know. It seems that they are anticipating a large turnover in the number of households accommodated in community housing. Basically, as other people have pointed out, using different indicators, it is quite clear that housing—the basic right to shelter and protection—is not a priority for this government.

It is not something that is always prominent in the minds of the community, either. However, I have found through my work in the electorate office that today's homeless are often people who yesterday regarded themselves as being comfortable and middle class or reasonable battlers who find themselves homeless because they have lost jobs, cannot afford mortgages or because of the breakdown of a family relationship. Probably none of us will find ourselves in this position, but we all have family who may well find themselves in need of this basic housing support.

Another area in which I found a bit of surprise in the budget was the child abuse protection program. When I

looked at this at first I thought there had been a decrease from \$300 000 this year to \$217 000 next year. However, when I turned over the page, I discovered that there is a new line. That figure I quoted first was under 'Employee entitlements'. Over the page, there is a new line under 'Supplies and services' which has as a new item the child abuse protection program. The sum of \$83 000 has been provided for next year and, indeed, \$83 000 for the estimated result for 1999-2000. I asked my colleagues whether they were aware that child abuse protection had been outsourced, and none of them was. However, at present, it is difficult to interpret this figure as being anything other than an outsourcing of child abuse protection—not the sort of program I would have thought the state should be readily relinquishing.

On that same page (budget paper 4, vol. 1, page 5.46), there is an item under 'Supplies and service' of CAD contract, \$2 300 000. It also appeared in the estimated results for 1999-2000 but did not appear in the 1999-2000 budget. Again, I have asked around to find what that might be. CAD often means computer assisted design. I am not sure where that might fit into the Attorney-General's portfolio, but it might have something to do with surveying, etc. It may well be an important program. However, my concern is that \$2 300 000 is suddenly discovered for this quiet program. It was not budgeted for last year, was not really prominent in our understanding, and I could find no explanation as to what it is about. However, suddenly \$2 300 000 was found for this program when it cannot be found for schools and hospitals. Again, this government's priorities do not meet those of the community.

We saw from the budget—and the member for Elizabeth mentioned this—the way in which the decline in services is indicated. Time and again these new performance indicators show that government departments are not expecting to do as well next year as they have done this year, and that includes in the Premier's own department where, for example, there are indications that, in the areas of occupational health and injury management service, they are not expecting as many clients to be satisfied next year as last year. They do not think there will be as many settlements; they think there will be the same number of briefings; they do not think there will be as many projects. The government, in terms of leading by example and caring for its employees is saying, 'Well, we are not going to do as well next year as we did this year by our employees or by you, the people of this state.' I am disappointed indeed that this is a budget of nothingness.

Bill read a second time.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That this bill be referred to the estimates committees.

Motion carried.

The Hon. M.K. BRINDAL: I move:

That the House note grievances.

Ms HURLEY (Deputy Leader of the Opposition): I was a very interested observer of the debate on the Appropriation Bill, particularly the government's defence of the attacks on the budget made by the opposition and members of other organisations and community groups. The principal defence seemed to be to hark back to the State Bank debt and the associated deficit left behind by a previous Labor government. The government surfed into government on a marked

backlash against the Labor government and the State Bank debt. It surfed in with a promise to rapidly address the debt and to get the government's budget back in order. This is the seventh budget produced by this government, and the state's accounts are manifestly not in order.

The State Bank defence was not effective in the 1997 election. The electorate believed the government's promises in 1993 that it would solve the problems in a few years. By 1997, the electorate was no longer listening to the State Bank debt argument: it wanted the government to deliver on the promises it had made. The electorate saw that those promises had not been delivered and the government lost 13 seats in that election. If that was not enough to convince the government that the State Bank debt is no longer an issue, it should consider the ETSA sale, the sale that the opposition opposed on the now manifestly obvious grounds that the net benefits to the state budget were not there.

However, the ETSA sale has eliminated the State Bank debt. The government now has no excuses. That debt no longer exists. The State Bank debt is wiped out. The government can no longer hark back to State Bank debt and deficits of the former Labor government. It has to stand on its own and manage its own budgets and produce decent surpluses.

Watching backbenchers stand up one after the other and talk about this excuse reminds me more than anything of seeing the former Labor government in 1993, when many of its members, particularly those on the back bench, were grasping at straws, unwilling to acknowledge the inevitable consequences of their failure through the State Bank as a government.

The Hon. M.K. Brindal: Do you include your leader in that group?

Ms HURLEY: No, I do not. I see some members of the government in a similar state of denial about their failure to manage this state's finances properly, about their government's inability to achieve anything with its seventh budget. This government has failed to use \$8 billion in asset sales to balance the budget or to put South Australia on a sound footing for the future. It has failed to rein in taxation and expenditure. This is now a government with a budget in deficit with markedly increased taxes and expenditure. Any pretension that the Liberal government has to being a good financial manager is now in tatters. This budget proves conclusively to the electorate that Liberal governments are not necessarily good financial managers. This Liberal government leaves the state in a very poor condition. What has this government achieved in its years of government, other than the asset sales?

Members interjecting:

Ms HURLEY: I will tell members what the government has achieved: it has built a soccer stadium, a wine centre and an EDS building. This government has failed to deliver significant policies that will ensure employment and good prospects for industry in this state. Most people to whom I talk in this state, from small business to large business to ordinary people in the electorate, acknowledge that failure. People in my electorate and the electorate I intend to run for are just waiting to vote against this government. They are appalled and disgusted at the situation concerning health and education in this state and they do not buy the State Bank excuse any more.

Mr HAMILTON-SMITH (Waite): It has been most informative sitting here listening to the opposition debate the Appropriation Bill. I use the term 'debate' with some latitude

because there has been a little more waffle than debate. As I gaze across at the benches opposite, I see some very eloquent speakers, but they have all come out with the party line. Obviously there was a caucus meeting and it was decided that all they have to do is keep repeating the same old tired themes and, if they keep bashing them, if everyone gets up and says the same old thing, then maybe somebody will take notice.

The member for Hart revealed to everyone's astonishment that the media did not pick up on the points that the opposition was making. He called the media's reporting of the budget limp, lame, tired, inaccurate and uncreative. I made the point that it is really the opposition's job to arc up the media. It is really the opposition's job to critique the budget, to poke the eyes out of the budget, do the detailed homework, come up with all the weaknesses, brief the media and make sure they give it a caning the following day. Instead, the *Advertiser* gave quite a positive, thorough, informative and reasonably accurate coverage of the budget the following day, which highlighted quite a lot of the good work reflected in the budget.

I would like to make a couple of points about the way in which opposition members have critiqued the budget. Even though I have been here for only a short time, I would like to offer some advice to my colleagues opposite, at least half of whom have not been here much longer than I; they are that fresh they are still shuffling in their seats. One point I make is that it would be nice when addressing the parliament for members opposite to show a little respect for the position of Premier. Irrespective of what one may feel about the man or woman holding the position, there are two positions in this parliament that warrant a little respect. One of them is the Premier and the other is the Leader of the Opposition. It is not easy to get to be leader of a party. It is not easy to get to be one of the two principal people in this place.

Some of the comments and criticisms that I have heard of the Premier, particularly the way in which they have been put to the House, ought to cause some members opposite to reflect on the approach they may wish to adopt for the remainder of their time in this place. I would not get up and speak of the Leader of the Opposition in such terms. Irrespective of what one might feel about the individual, one can and should respect the position, and one should respect some of the institutions in this place more than has been demonstrated by some members opposite, and I emphasise that I am not referring to all of them.

The other point I make is that it would be a good idea if some members opposite, in particular frontbenchers, did a little homework on the budget papers before they got up in this place and gave what should be one of the principal addresses they make to the parliament in the year 2000, that is, their response as an opposition frontbencher to the government's budget. I have read the *Hansard* and I could run through it minister by minister, but I would say that, by and large, the members have spent about five minutes, possibly 10 minutes of the 20 minutes, giving substantive comment on matters affecting their portfolio that warrant thorough reading of the budget, and the remaining 10 minutes to 15 minutes of their address have been waffle, repartee or a repetition of the same tired old themes that obviously have been cooked up in the caucus.

If members opposite want to convince the people of South Australia that they are an alternative government, I make a suggestion: I am a little old backbencher who sits here and watches what is going on, but I have been around long

enough to know that some members opposite who occupy front bench positions need to show a little more intellectual acumen, do a little more research on the budget papers and have a more thorough knowledge of the fine print before they get up in this place and slam it. When members opposite are on this side of the chamber—if they ever are over here—they will undergo the sort of scrutiny which our ministers undergo, and they will have to come up with some correct answers or be held to account. What I have seen so far in this debate would not, if I was out there in voter land, inspire me with a great deal of confidence.

Also, I would expect in a budget critique for frontbenchers to focus on their portfolios and for backbenchers to pick up themes relevant to their particular electorate and how the budget may affect their constituency. I must give credit to some of the opposition backbenchers because, by and large, they have done that. In today's addresses to the parliament, most of the backbenchers opposite who critiqued the budget have focused on their electorate and have done quite well—and I could name a couple who, I think, stood out. There is a message there, however, for the frontbenchers.

I also say that members opposite should support their shadow treasurer. Last night during his debate in this place, the opposition benches were almost bare. The shadow treasurer has the unwholesome task of leading the charge behind the Leader of the Opposition against the government's budget. Yet he was pretty much in here on his own batting away for his side, with one or two principal people supporting him. If members opposite want to show unity, if they want to carp about our being divided, they should look at the way in which they have handled their response to the budget. I think there is a little work to do over there as well if they want to convince the people of South Australia that they are ready to take the government benches and public purse into their hands.

It would have been nice to hear some constructive suggestions from opposition members. I make this observation: they might win more kudos with voter land by commending the government for some of the good things in the budget while constructively slamming those things with which they disagree, rather than throwing around the mud and hoping some will stick, and sticking to the same old patter. One actually gets credit for appearing to accept the good while putting up constructive arguments in regard to the bad. An opposition, like a government, will be judged not by how much noise it makes but by the quality of its arguments and the dignity and style in which they are presented. As a little old backbencher of no consequence on the government benches, I offer that advice to the opposition.

It would have been nice to hear some alternative ideas on how the budget might be focused. I know members opposite do not want to come out with any policies; I know it is a policy free zone; and I know they are petrified that if they come out with any constructive policy government members will rip it to shreds—which is exactly what we will do. So, they sit over there, quivering in their shoes, criticising the government's policies yet offering nothing in their place. We have been over all that. One day in caucus they will develop the courage to come in here, and some opposition frontbencher will say, 'If I were the minister this is what I would do.' One or two opposition members have given it a go—and I commend you for that. For example, the would-be police minister said that we need another 80 policemen. Well, the government has given you 113. But, at least the honourable member had the courage to get up and say that we need

another 80 policemen. I would like to see more of that from the front bench.

I thank the member for Ross Smith for his contribution, which I found quite revealing, interesting and informative and which made me reflect on my role and place in this House. The honourable member elevated the debate to a significant degree. It was a worthwhile address.

The old paradigms are out. This budget reflects the 21st century. We do not believe in big government, big unions and big Public Service: we believe in everyone having an opportunity. If the opposition thinks it has a monopoly on punter land (as I have heard so many say) and on the working class and the ordinary South Australian, it simply does not ring true. We are in touch with those people, too. We want them to elevate themselves and be all they can be. We do not want them to be out there on the scrap heap, as the opposition seems to want. I think it has been a very weak performance from the opposition in respect of the budget debate and I hope the coming year reveals a little more imagination and a little more panache as we go through the legislative year.

Ms BEDFORD (Florey): This year's Appropriation Bill—the third budget delivered by this Treasurer for this Liberal government—has seen us witness many speeches from government members about what is in the pile of budget documents and many fine contributions from my parliamentary colleagues on this side of the House ably pointing out what is not in, not said or missing from the budget. The budget fails to address the issues which most affect the people of South Australia and pays lip service to some of the most pressing social and community concerns currently facing this state and the nation.

In 'Growing Apart', a recent report from the Brotherhood of St Lawrence, the views of Australians on poverty are explored. It reveals that it is not poverty itself that has been identified as one of the three most important issues facing Australia today but, rather, the growing gap between rich and poor. People are worried about the growth in poverty and fear its impact on our communities and the following increase in the crimes related to hopelessness—violent crimes, including domestic violence, and especially the addictive behaviours of gambling, drug addiction and all substance abuse. By not looking after our greatest resource—our people—we are ignoring the age old advice of 'looking after the pennies and the pounds will look after themselves'.

In the ruthless pursuit of the bottom line, which must be observed to a degree, we are continuing to practise a false economy. We all know that the health budget continues to blow out. We can talk about hip replacements, sophisticated technology and living longer as being the reasons for this. However, the real danger is being able to care for those who are now in the fastest growing group—those with depression or mental health problems. It has been proven that those with low incomes have poor health. One of the largest expenditures we face is the cost of ensuring that good health is maintained and delivering health procedures when required—not months after they are needed when it is often too late, resulting in permanent impairment or, in the worst cases, suicide. Living in fear of losing your job or not being able to pay your bills has a grave cost, and I quote from the report as follows:

... exclusion from mainstream Australian life is often severe and is caused in many cases not by choices but by the suburb or town where they live or the colour of their skin.

There are other factors, too, including religion, disability, gender, and access to education and health. Gambling, drug addiction and family breakdowns are all elements of people trapped on low incomes. In the tradition of 'a stitch in time', I propose that producing a budget which addresses the real needs of people is not only the right thing to do—as the disadvantaged become a larger group that may not be 'manageable' in the future—but, in order to satisfy the objectives of the user pays bottom liners, it will be cheaper in the long run. Or is it that we do not plan to be here for the long haul—that life as we know it must change to see us endure lower living standards rather than sharing in the prosperity we are told that Australia is enjoying? It is abundantly clear that the problems the world faced in production are now a thing of the past and the real challenge we now face is distribution of the wealth that has been the result of the consumption of those goods and items now considered essential in everyday life.

On behalf of my constituents, I would like to outline what should be—and I repeat should be—in the budget. There should be measures to address the fact that people count and that we live in a community and not just an economy. To fail to implement new strategies to address the shift in living standards that sees the poor becoming poorer and growing in number will cost us dearly in the long run. Those who 'have' are too busy to see the 'have-nots'. It really is becoming a case of 'every person for themselves' and 'I am all right', rather than the 'fair go for all' that saw Australia become a great nation, envied all over the world.

Pastor Tim Costello—the other Costello, the one who really has a finger on the pulse of the nation—visited Adelaide this week and in a thought provoking address touched on issues such as the widening gap in wealth distribution, especially between those living in the city and the country. A Melbournite, he stated that the smallest Victorian towns are the poorest places in Australia with barely half the income of the average Canberra household. I would be surprised if that trend were not reflected here. He went on to say:

We have an extraordinary conundrum—wonderful growth and wealth and people are very prosperous nowadays but embedded between them is absolute poverty, where there is only pain, where people are going backwards.

He talked about the restlessness over amassing more and more wealth which he believed was part of the problem in the growing gap between rich and poor. When asked how much more money he needed to be happy, the founder of the United States Rockefeller empire is quoted as saying 'a little more'. Very few of us really know what would make us happy and what happiness is. Pastor Costello went on to talk about the GDP story and said:

As I challenge people to name the story which is dominating their lives, they tell me the story of hard work leading to reward and material wealth for the individual. They then apply it at a national level, so it becomes a story about economic rationalism leading to economic growth, measured by yardsticks like the GDP.

These days I am at pains to challenge this economic growth story by analysing what it means. For example, I point out that if you [need to] cut a tree down you do great things for the GDP—loggers and paper manufacturers get jobs, even waste managers get work—whereas if you leave [the tree] in the ground, the GDP does not grow. But these days we know that leaving trees in the ground can be very important for the health of our grandchildren and future generations. Similarly, if you have a car accident, lawyers, doctors, panel beaters, mechanics, tow truck drivers and ambulance workers all get work. It could be said that if you haven't had a car accident recently you are being economically irrational because you are overlooking an opportunity to contribute to the GDP. Similarly, the Exxon Valdez

oil spill was one of the biggest contributors to the North American economy; but who would recommend such a disaster as any sort of economic panacea? The measures of GDP are one dimensional and reductionist, emerging from an unsatisfactorily crude storyline. A system of national green accounts is long overdue.

I would add here that arguments for a better public transport system are supported by and fit well into this analogy. Pastor Costello continues:

As evidence that Australians today need more complicated stories than the wealth-via-GDP-growth-to-happiness sort, I would quote Richard Eckersley. I use his work frequently in my book [*Tips from a Travelling Soul Searcher*] because I like the way he tackles the 'only things that are real can be measured' storytellers with their own tools. That is, he agrees to measure, but he insists on including social as well as economic dimensions of well-being. Eckersley tells us in his book *Measuring Progress* (1998) that 'asked to nominate which of two positive scenarios for Australia in 2010 came closer to the type of society they both expected and preferred, almost two thirds said they expected "a fast-paced, internationally competitive society, with the emphasis on the individual, wealth generation and enjoying the 'good life'". However, eight in 10 said they would prefer "a greener, more stable society, where the emphasis is on cooperation, community and family, more equal distribution of wealth, and greater economic self efficiency."

I hardly need to point out here that what most Australians seem therefore to prefer is a story with more grace. It is not a story about using the earth to win a competition. Rather, it is a story where people gather together in mutual care of each other and their planet, through the good times and the bad, where the fracture in our nature is seen in the jealousy and betrayal of some of the characters, but where there is emphasis on life being a gift.

Work is being done in this area of debate by a Swiss group based in Zurich—and I hope to have more of their work for a future contribution here.

Just as the nation is rallying to recognise that the hurts and injustices the Aboriginal people have suffered must be corrected so that we can all go forward and prosper, so too must there be a realisation that a major shift in policy direction—not more of the same—is the only way to turn things around, so that we are not hanging on and hoping for the best. So many good ideas seem to go without real consideration. I spoke to a health professional some months ago at the opening of a new facility and he told me that he had planned a way to deliver better outcomes in service delivery but could not secure the \$10 000 needed to prove the strategy and improve the quality of life for so many while making existing budget expenditure go further.

It is a problem I hear about all the time—from the people on the ground who have the expertise and ideas to deliver real savings, savings that can go to employing people and investing in a future which will create a better life for all, rather than continuing to prop up the businesses and industries which are also suffering under the burden of increased taxes and costs.

There is nothing new in this budget; it is simply more of the same. The key to a better future and the power to make real choices—education—continues to suffer. And health is the biggest problem of all. I would especially like to mention the problems with dental care for our aged and disadvantaged who are now being asked to pay a fee after waiting years for treatment. Perhaps we could fix the fee for everyone already on the list rather than see it grow by the time they are allotted treatment. Emergency housing and rent relief policies should be maintained and indeed need enhancement. A dollar is a lot of money if you do not have it and cuts to rent relief will see many families go without essentials.

While I commend some of the strategies contained in this budget—more police being one of the best initiatives—I would like to see more staff for hospitals and schools as well, not instead of. In closing, I would ask the government to

think about adopting a few strategies that are different—not reckless—and see whether we may be able to plan for and deliver a better future. I urge it to think outside the square, perhaps even following the established tradition of appointing a consultant to look at some of the ideas being talked about in the centres of learning here and in the other places around the world. For the most important benefit of globalisation must surely be access to the information that delivers equity.
Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the proposed expenditures for the departments and services in the Appropriation Bill be referred to Estimates Committees A and B for examination and report by 27 June 2000, in accordance with the timetables as follow:

ESTIMATES COMMITTEE A

Wednesday 14 June 2000 at 11 a.m.

Premier, Minister for State Development, Minister for Multicultural Affairs and Minister for Tourism. Legislative Council
House of Assembly
Joint Parliamentary Services
Department of the Premier and Cabinet
Administered Items for Department of the Premier and Cabinet
State Governor's Establishment
Auditor-General's Department
South Australian Tourism Commission
Minister for Tourism—Other Items

Thursday 15 June 2000 at 11 a.m.

Treasurer and Minister for Industry and Trade.
Department of Treasury and Finance
Administered Items for Department of Treasury and Finance
Department of Industry and Trade
Administered Items for Department of Industry and Trade

Tuesday 20 June 2000 at 11 a.m.

Deputy Premier, Minister for Primary Industries and Resources and Minister for Regional Development, Minister for Minerals and Energy and Minister assisting the Deputy Premier.
Department for Primary Industries and Resources
Administered Items for Department for Primary Industries and Resources

Wednesday 21 June 2000 at 11 a.m.

Minister for Environment and Heritage and Minister for Recreation, Sport and Racing.
Department for Environment and Heritage
Administered Items for Department for Environment and Heritage

Thursday 22 June 2000 at 11 a.m.

Minister for Water Resources.
Department for Water Resources
Administered Items for Department for Water Resources

ESTIMATES COMMITTEE B

Wednesday 14 June 2000 at 11 a.m.

Attorney-General, Minister for Justice, Minister for Consumer Affairs and Minister for Police, Correctional Services and Emergency Services.
Department of Justice
Administered Items for Attorney-General's Department South Australian Police Department
Administered Items for South Australian Police Department
Minister for Minister for Police, Correctional Services and Emergency Services—Other Items

Thursday 15 June 2000 at 11 a.m.

Minister for Transport and Urban Planning, Minister for the Arts, Minister for the Status of Women, Minister for Local Government and Minister for Aboriginal Affairs. Department of Transport, Urban Planning and the Arts
Administered Items for Department of Transport, Urban Planning and the Arts
TransAdelaide
Minister for Transport and Urban Planning, Minister for the Arts and Minister for the Status of Women—Other Items
Minister for Local Government—Other Items

Tuesday 20 June 2000 at 11 a.m.
Minister for Education and Children's Services, Minister for Employment and Training and Minister for Youth. Department of Education, Training and Employment Administered Items for Department of Education, Training and Employment

Wednesday 21 June 2000 at 11 a.m.
Minister for Human Services, Minister for Disability Services and Minister for the Ageing.
Department of Human Services
Administered Items for Department of Human Services
Minister for Human Services—Other Items

Thursday 22 June 2000 at 11 a.m.
Minister for Government Enterprises, Minister for Information Economy, Minister for Administrative and Information Services and Minister for Workplace Relations.
Minister for Government Enterprises and Minister for Information Economy—Other Items
Department of Administrative and Information Services Minister for Workplace Relations

Ms HURLEY (Deputy Leader of the Opposition): I move:

Tuesday 20 June 2000 at 11 a.m. (Committee B)
Leave out 'Minister for Employment and Training and Minister for Youth'.

After 'Department of Education, Training and Employment' insert '(except the Offices of Employment and Youth and Vocational Training and Education)'

Thursday 22 June 2000 at 11 a.m. (Committee A)
After 'Minister for Water Resources' insert ' , Minister for Employment and Training and Minister for Youth'

Insert 'Department of Education, Training and Employment (Offices of Employment and Youth and Vocational Training and Education only)'

The current budget program has a complete day for the Minister for Water Resources to be questioned on his portfolio. His other portfolio areas of employment, training and youth are to be dealt with with the Minister for Education on another day. The amendment I have moved seeks to put the portfolio areas of that minister, notably employment, training and youth, together with water resources. The reason that the opposition is requesting this is because we have been complaining for some time about the lack of time to question ministers in key portfolio areas.

The Minister for Education has a budget which takes up a lot of the state's income. In fact, the education budget takes up an expenditure of \$1685 million, whereas water resources takes up a mere \$46 million. If members look at the portfolio pages, to show just a crude estimate of the difference between education and water resources, there are 22 pages within the portfolio statements for water resources and 43 for education. There are other large areas such as transport with 105 pages, environment with 46 and health with 48. So members can see that, although we appreciate that water resources is an extremely important portfolio and indeed would welcome the opportunity to question the minister, we do not believe that, given the compression of the other portfolio areas such as human services and education, it warrants a full day on its own.

We are therefore simply asking that the same minister, the Minister for Water Resources does his other portfolio areas within that same day. I understand that there is a bit of difficulty with that minister being a cabinet minister in his water resources portfolio area but a junior minister in the other portfolio areas and reporting to the cabinet Minister for Education. We have also expressed our view that the junior minister arrangement is a very strange sort of arrangement

indeed, and this very situation illustrates that. I am advised that my amendment is technically feasible and that it would allow the estimates questioning to go on and be signed off properly. I urge members to support it.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I do not support this amendment. I am the delegate Minister for Education, Children's Services and Training. The total budget for the Department of Education, Training and Employment comes under my jurisdiction, and that area covered by Minister Brindal still comes under my control. I therefore believe that we should appear together and be questioned at the one time. In addition, we are considering the number of staff involved in estimates during the day. It means additional cost in bringing down the staff on two days rather than one to undertake estimates questioning. In that area, I believe that it is far more efficient for us to undertake it on the one day.

Any decisions made within the department have to cross my desk because, even though Minister Brindal is present in cabinet, anything that represents the department—and particularly in our discussions that lead up to the setting of the budget—is all done in discussions between me and the Treasurer. Although Minister Brindal attends, I am the one who ticks off the final budget for the entire department. As a result of that, I believe that this amendment should not be supported and that Minister Brindal should appear on the same day as I do, because I am the delegate minister and I have the control of the total budget.

Mr CLARKE (Ross Smith): I would like to speak in support of the deputy's amendment. It is an eminently reasonable proposition. The Minister for Education's response to the deputy's amendment clearly underlines the farcical nature of the administrative arrangements that the Premier has concocted for his own particular political reasons. I can understand that perhaps it is far better in the area of employment to have the Minister for Education present as a far more competent person than the Minister for Employment, notwithstanding the Minister for Employment's protestations of genius when he is here during question time.

It does not seem to matter to the Minister for Employment when questions are asked of him, whether they be dorothy dixers or from the opposition benches on days when we are allowed to sit as a parliament, as he is only too happy to jump up and answer those questions. Perhaps the cabinet minister, the Minister for Education and Children's Services, believes that the Minister for Employment needs his protection.

The other argument put forward by the Minister for Education and Children's Services in terms of staffing levels is the greatest load of codswallop I have ever heard. Employment ministers in the past have been distinct, discrete units within the Minister for Education and Children's Services' overall cabinet portfolio. You do not have public servants sitting here on employment matters also answering questions on education matters, by and large.

An honourable member interjecting:

Mr CLARKE: The CEO might be an exception, but in any event, so what? Estimates occur but once a year. There is but one day of the year that the opposition gets an opportunity to cross-examine ministers and their ministerial heads as to how they spend the taxpayer's dollar. If through greater parliamentary scrutiny we tighten up their act which ultimately saves the public purse, then that is money well spent.

The fact of the matter is that estimates have been turned into a farce and have been a farce for the last seven years. I cannot speak about what happened prior to 1994 when I first experienced the estimates committees in this parliament, but since I have been in this parliament it is a farce where ministers have their backbenchers ask them dorothea dix questions to waste the time of the committee so that the opposition is denied the right to be able to properly examine the workings of a department.

The education and children's services portfolio takes up an entire day. The opposition gets only half of that day to deal with a state government department that involves probably 25 to 30 per cent of the total expenditure of the budget. We have one day allocated to deal with water resources with el supremo, but the trouble with el supremo is that it is over by about 3 o'clock. The Minister for Water Resources has a day to himself to put on a wet suit and dive into the Murray River or go down to the Torrens—and we are still waiting for the Premier and the deposed Premier to take a swim in the Patawalonga; it still has not taken place (and as I promised some years ago, I am happy to take a dip in the Patawalonga 24 hours after the Premier has and he has been examined). We have the Minister for Water Resources, who is not the el supremo of water resources but shares it with the Minister for Environment, and there is at least one other, and they have to work out which of the three will go to a ministerial council or whatever it is—

The Hon. M.K. Brindal: You don't know what you're talking about.

Mr CLARKE: I certainly do with respect to this matter. The Minister for Water Resources can go on, but any minister who says it is a good idea to dig a tunnel between Cross Road and South Terrace has to be a bit on the wacky side, yet he is a cabinet minister. That speaks volumes for this government. Unfortunately it brings this state into derision. We have heard of Captain Wacky. Now we have Cabinet Minister Wacko!

We have an entire day to deal with the Minister for Water Resources, with a total budget of \$46 million, yet with respect to education, which has 25 to 30 per cent of the state budget, the Minister for Education argues that we should, as an addendum, somehow find time to adequately scrutinise employment and youth affairs. It is a joke and that is what is holding this parliament in a state of disrepute. The forums we use are not utilised properly.

Any minister worth his or her salt, who had any degree of confidence or competence, would be able to dispense with their flanks of ministerial advisers, except for maybe one or two in some of the larger portfolios, and turn around to his or her backbenchers and say, 'This is the opposition's day. If they want to take me on, let them, and I can show that I am on top of my brief.' But there are no ministers opposite capable of doing it, and this little shenanigan, this little farrago—

The Hon. M.K. Brindal: What is a farrago?

Mr CLARKE: If you don't understand it, get a dictionary. You don't pay me to be an interpreter. When you do, I will explain it. Other than that, go and get the *Oxford Dictionary* and look it up.

An honourable member interjecting:

Mr CLARKE: No. I did not want to highlight the member's ignorance, but he insists on writing it in large neon lights. The deputy leader's amendment is eminently reasonable and is a very sensible, effective utilisation of the time of this parliament to give it some work to do. We have the

members in another place taking another two weeks' holiday while we—

An honourable member: Who?

Mr CLARKE: The Legislative Council. It is going on a two week holiday while we are dealing with these issues in the estimates committee. I said this time last year that, with respect to the Legislative Council, the government should give consideration to having it working and dealing with its private members' bills. It is sitting tonight only because it is dealing with private members' bills. If it was dealing with government bills, members would have knocked off at 6 o'clock—probably 5 o'clock; they would have been hopping on the bus and heading off. So, if the government had any sense about utilising time properly, instead of burning the midnight oil and flapping the gums, as we all do, to absolutely no effect, because no-one listens to us—we all think we are important—

An honourable member: Sit down.

Mr CLARKE: No, I have joined the charade. I have given up. I can only hope that members will support the deputy leader's position. I know that they will not do away with the dorothea dixers during the estimates committee hearings but, at the very least, let us expose the Minister for Water Resources, who likes to puff out his chest as Minister for Employment and Youth Affairs; let us give him a good working over for a full day on the full range of portfolios. I know that the Minister for Education is a mate of his and wants to protect the Minister for Water Resources, because he does not believe that he is competent enough to protect himself. However, the education minister should let him go; he has to cut the apron strings at some time. Let us vote for the deputy's resolution.

The Hon. M.K. BRINDAL (Minister for Water Resources): I support wholesomely the proposition put by my colleague the Minister for Education. The day that I am afraid to be worked over by the member for Ross Smith would be a sad day indeed for this parliament. I am, in fact, looking forward to the opportunity of having a day and a half for questions from him, because he is yet to ask a question that cannot be handled by any minister on this side of the House.

To return to the subject at hand, the Minister for Education clearly explained that he and I, in the area of education, employment and training, work together.

Mr Hill: Hand in glove.

The Hon. M.K. BRINDAL: Yes. That is actually a good—

An honourable member: You don't have to hold hands.

The Hon. M.K. BRINDAL: No—it is a good description, and it is a team that seems to work. I remind this House that last year, when I was not a cabinet minister, when I was the Minister for Youth and Employment, it was good enough for this House to question both me and Minister Buckby for one day. This year, all Minister Buckby's responsibilities and my responsibilities in toto in the area of education remain the same. This government has allotted exactly the same time to it this year as it did last year. There is a nonsense—

Mr Hill interjecting:

The SPEAKER: Order!

The Hon. M.K. BRINDAL: The opposition did not complain about this last year. It is a nonsense to get a portfolio and to try artificially to divide it in two, when I am prepared with my colleague Minister Buckby to give up an additional half day to come in here and answer the very

questions that the opposition is asking. The minister is completely correct: the opposition is again off the track. It is getting no less than it had last year—

Mr Clarke interjecting:

The SPEAKER: Order! The member for Ross Smith has had a fair go tonight.

The Hon. M.K. BRINDAL: I point out to the member for Ross Smith that he does not pay me, and I thank God that he does not.

The House divided on the amendment:

AYES (17)

Bedford, F. E.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hill, J. D.
Hurley, A. K. (teller)	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	

NOES (19)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C.	Buckby, M. R.
Condous, S. G.	Evans, I. F.
Hamilton-Smith, M. L.	Ingerson, G. A.
Kerin, R. G. (teller)	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.

NOES (cont.)

Meier, E. J.	Penfold, E. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.
Wotton, D. C.	

PAIR(S)

Atkinson, M. J.	Armitage, M. H.
Breuer, L. R.	Gunn, G.M.
Hanna, K.	Hall, J.
Wright, M. J.	Olsen, J.W.

Majority of 2 for the Noes.

Amendment thus negated.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That Estimates Committee A be appointed consisting of Ms Ciccarello, Messrs Condous and Hamilton-Smith, Ms Key, Mrs Penfold and the Hons. M.D. Rann and D.C. Wotton.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That Estimates Committee B be appointed consisting of Mr Atkinson, the Hon. G.M. Gunn and Messrs Hanna, McEwen, Scalzi, Snelling and Such.

Motion carried.

ADJOURNMENT

At 11.11 p.m. the House adjourned until Thursday 1 June at 10.30 a.m.