HOUSE OF ASSEMBLY

Wednesday 5 July 2000

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

GROUND WATER (QUALCO-SUNLANDS) CONTROL BILL

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

WATER RESOURCES (WATER ALLOCATIONS) AMENDMENT BILL

The Hon. R.G. KERIN (Acting Premier): I move:

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

Motion carried.

PROSTITUTION

A petition signed by five residents of South Australia, requesting that the House strengthen the law in relation to prostitution and ban prostitution related advertising, was presented by Mr Hanna.

Petition received.

CAPE ELIZABETH FORESHORE

A petition signed by 3 809 residents of South Australia, requesting that the House oppose proposals by Tiparra Sanctuary Pty Ltd to gain tenure over and restrict access to the foreshore at Cape Elizabeth, was presented by Mr Meier.

Petition received.

CONSUMER AND BUSINESS AFFAIRS

In reply to **Ms THOMPSON (Reynell)** 6 April.

The Hon. I.F. EVANS: The Minister for Consumer Affairs has provided the following information:

Further to the information forwarded on prosecutions disciplinary actions and assurances, the Office of Consumer and Business Affairs ('OCBA') is currently not in a position where it can easily provide particulars of statistics of administrative resolutions beyond the number of assurances issued under the Fair Trading Act. This process would involve some level of review of the files over the period. OCBA is currently taking steps to utilise technology to improve its reporting ability and provide further more detailed enforcement statistics.

From 1991 to 1994 the OCBA approach to compliance utilised administrative resolutions under the assurance provisions of the Fair Trading Act and disciplinary action concerning licensee traders. There was also heavier emphasis on prosecutions.

The compliance approach over the period from 1994 to 1997 altered, so that, where possible, OCBA would work with traders and industry to achieve compliance with legislation through education and advice. If this approach failed and the trader continued to offend then formal warnings would be given. If the behaviour continued then legal sanctions would be imposed.

During this time in consultation with industry new legislation was introduced including:

- Plumbers Gas fitters and Electricians Act 1995;
- Building Work Contractors Act 1995; and
- Uniform Consumer Credit Act 1995.

An education oriented approach was highly desirable during the implementation of these Acts.

An internal OCBA evaluation of the outcomes and the effectiveness of the approach to compliance was conducted in 1997 and a move toward more active compliance followed. A specialist unit was established for compliance activities. Administrative resolutions under the Fair Trading Act and warnings continued and were increased. There was a move toward increasing the number of prosecutions and disciplinary actions that OCBA initiated.

Since 1997 enforcement has been applied proportionately and appropriately to alleged offences. Where appropriate:

- education is used to terminate conduct and prevent further breaches;
- written and oral warnings are issued;
- unlicensed traders are encouraged to become licensed;
- assurances under the Fair Trading Act are obtained;
- disciplinary action is taken against licensed persons;
- prosecution action is taken.

In July 1999 the compliance unit was moved into the newly formed corporate affairs and compliance branch of OCBA.

OCBA is currently taking steps to further enhance its compliance activities through a co-ordinated approach by:

- establishing clear internal referral and investigation systems;
- establishing clear priorities for compliance;
- using technology to improve its record keeping systems;
- establishing clear guidelines for the use of appropriate compliance methods, including expiation notices;
- improving its liaison with industry groups.

ADELAIDE PARKLANDS

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

Leave granted.

The Hon. D.C. KOTZ: Members would recall that at the commencement of the current session the former Minister for Local Government announced that the government intended to introduce legislation to provide for the longer-term care and management of the Adelaide parklands. This announcement followed the heightened public interest in protecting the unique characteristics of the Adelaide parklands.

The minister noted that a feature of the public debate was the evident lack of clarity about the respective roles and responsibilities of the parliament, state government and Adelaide City Council in relation to those parklands.

In February of this year I released a discussion paper regarding aspects of the management of the Adelaide parklands. The paper sought public comments on ways in which legislation might contribute to the statement of a vision for the Adelaide parklands and a strategic framework for the achievement of that vision.

The consultation process drew a range of responses. It confirmed that there is indeed a public view that the Adelaide parklands merit the special protection which can be provided by legislative recognition of their unique character. It also indicated that there is a diversity of views about the use of the Adelaide parklands for a range of recreational, cultural and leisure pursuits.

A preliminary draft bill has been prepared which responds to the questions of public interest raised during the consultation process. This draft has been reviewed with the Adelaide City Council which, as members would be aware, is a significant partner in the future management of the Adelaide parklands, particularly in relation to the care and control of the large areas of open space within the overall parklands. We are firmly of the view that the government must work in partnership with the Adelaide City Council to develop a shared vision for the Adelaide parklands.

Unfortunately, the discussions about this vision and the mechanisms for its achievement were interrupted by the recent local government elections. The delay has been utilised to clarify some technical matters in relation to process and

also the definition of land. With the new council now firmly in place, I am looking forward to briefing new members and gaining support from the whole council for a coordinated approach to future planning and management of the Adelaide parklands. An essential item of that discussion will be the way in which the council's published strategy for the Adelaide parklands can link with the public planning and consultation requirements for community land, as outlined in the Local Government Act of 1999.

The question of public consultation leads to the final point of this statement. I recognise that members of the public, particularly those who have commented on the discussion paper, have been waiting to consider the legislative outcome of the consultation process. However, it is also necessary to develop an accord with the Adelaide City Council so that a well considered legislative framework can be put to public debate. To ensure that there is adequate time for that briefing and dialogue to occur, the government has decided to defer introduction of legislation in relation to the Adelaide parklands until the spring sitting.

The bill that will be introduced to the parliament at that time will reflect the outcome of consultation with both the Adelaide City Council and the general public. The release date for a consultation bill will, of course, be dependent on the timing of discussions with the Adelaide City Council, but I am confident that there will be time for reasonable consideration by the general public and by any special interest groups.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the twenty-second report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

GOVERNMENT CONSULTANTS

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Acting Premier. Given that the government has already spent more than $3.2 million of taxpayers' money on the consultants to prepare the TAB and Lotteries Commission for sale, let alone the money spent on consultants for the sale of the Ports Corporation, why has the Minister for Government Enterprises been forced to delay the sales, claiming that the consultation process has been flawed, or did the government face defeat in this House from its own backbench?

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): Sir, the—

An honourable member interjecting:

The Hon. M.H. ARMITAGE: Yes. The Independents identified late last night that there were some issues that they wanted explored. The Labor Party—

Members interjecting:

The Hon. M.H. ARMITAGE: They were given the information yesterday.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: The interesting thing is that the opposition, which cries crocodile tears about how important the racing industry is, has identified that it will vote against this piece of legislation which will see the racing industry benefit to the tune of $18.25 million and an increase of 22 per cent on a per annum feature into the future. However, we understand the importance of the sale and, accordingly, if people want more time to come to the conclusion that it is the right decision, we are very happy to wait.

The Hon. M.D. Rann interjecting:

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

EXPORTS

The Hon. G.A. INGERSON (Bragg): Can the Acting Premier please advise the House on the success of South Australia's export performance over recent years and whether this is attributable to the excellent efforts of the government?

The Hon. R.G. KERIN (Acting Premier): I thank the member for Bragg. I suppose the—

An honourable member interjecting:

The Hon. R.G. KERIN: That is right. I suppose the obvious answer is yes. As the member for Bragg would understand, and as most people are really starting to understand, exports are extremely important to South Australia, and I think that members in here have heard me speak many times about the primary production exports that we come up with. That goes across into other sectors, and certainly manufacturing and services are two of the other areas that are really kicking some goals.

Members of the House should remember that during the Asian crisis there was a lot of concern about what as a government we should do. Many other countries and states decided to turn their back on Asia and pursue other markets. It was a conscious decision of this government to stick—

Mr Foley interjecting:

The SPEAKER: The member for Hart!

The Hon. R.G. KERIN: —with a strategy into Asia. Despite that downturn, we made the decision to stay with it long term. We kept delegations for both food—

Mr Foley interjecting:

The SPEAKER: The member for Hart!

The Hon. R.G. KERIN: —and other products going to that region. We were focused, and certainly we took the long-term view, and that is starting to well and truly pay dividends. We continue to diversify our markets into Asia and, in fact, we are exporting into more countries than any other state. We withstood that potential challenge which came from the Asian crisis, and that is really starting to show, in that last year the national export figures dropped, whereas in South Australia we saw a strong increase, which means that our performance—which was good, anyway, so we did not come off the low base—has got even better.

Some of the figures that we can quote about our export performance are extremely impressive. We have had a 16.7 per cent, or $732 million, increase in exports to the end of April compared to the same period last year—I repeat, $732 million. In fact, that almost exceeds the previous year's performance in just 10 months. Over the same period, goods exports rose nationally by 9.7 per cent in comparison.

This government has continually said over recent years that its policies have been directed at increasing exports into higher priced markets to create jobs and economic opportunities for South Australians, and we have delivered on that. The Food for the Future program has been particularly successful. It has been targeted and it has been focused, and I think that one of the keys to the success of that program is that we have

encouraged industry leadership within the program itself, which has been an extremely successful move.

The cooperation of industry on the Food Council and, more recently, the example and leadership demonstrated by some of our leading food exporters in terms of their success in setting up Food Adelaide has given heart to many people about the sort of achievements we can make. In terms of the major commodities, South Australia's fastest growing exports over the period about which we are talking were fish and crustaceans, petroleum and petroleum products, metal and metal manufactures and road vehicles and road vehicle parts and accessories. Of course, we are all aware that the wine industry continues to experience extremely strong growth, which is having great impact in the regional areas. The export of cars from South Australia increased by nearly 42 per cent during the same period. These total increases occurred despite, as far as agricultural production is concerned, last year's poor winter.

The results do illustrate the underlying competitiveness of this state's economy. With a continued focus on expanding our exports and with new opportunities opening up, such as the Darwin rail link, providing a new gateway to Asia, we can look forward to the future with much confidence which, of course, flows across to jobs in the metropolitan area, as well as having a massive impact in regional South Australia.

HAMMOND, MEMBER FOR

Ms HURLEY (Deputy Leader of the Opposition): Does the Acting Premier share the view of the member for Hammond that the government is a 'sinking ship', that is headed for the 'reef of destruction'; and that unless John Olsen is replaced as Premier by the current Minister for Human Services before the next election the government has no chance of winning that election; and does the Acting Premier believe that the mishandling of the ETSA sale by the Premier and the Treasurer has contributed to the government's disunity?

Members interjecting:

The SPEAKER: Order!

Ms HURLEY: Today's media reports the member for Hammond as stating that the government's credibility was 'pretty well shot'. The report continues:

> He said polling was so bad Liberal colleagues who wanted to keep their seats should move against Mr Olsen and return the leader he forced out nearly four years ago—Dean Brown.

The member for Hammond further states:

> We either change the captain of the ship and point it in the right direction or we sink ourselves. We are heading for the reef of destruction.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The Acting Premier need address only those parts of the question that pertain to his role as acting head of government.

The Hon. R.G. KERIN (Acting Premier): I suppose that the answer is a definite no. I am not to be held responsible for all the comments made by the member for Hammond. Certainly, I do not agree with what the honourable member has had to say. The member for Hammond has voiced a certain opinion, and I do not think that members opposite will find any member on this side of the House who will agree with him.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

Mr Foley interjecting:

The SPEAKER: The member for Hart will come to order. The member for Goyder.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for interjecting after he has been called to order. The member for Goyder.

WHALES

Mr MEIER (Goyder): My question is directed to the Minister for Environment and Heritage. Given the publicity surrounding the International Whaling Commission meeting in Adelaide, will the minister advise the House what action the government is taking to promote sustainable whale watching in South Australia?

The Hon. I.F. EVANS (Minister for Environment and Heritage): I begin by stating that the—

Mr Foley interjecting:

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

The Hon. I.F. EVANS: —South Australian government strongly supports the position of the commonwealth in its recent attempts to establish a South Pacific whale sanctuary. The commonwealth Minister for the Environment, Senator Robert Hill, in his opening address to the International Whaling Commission stated:

> There is a growing recognition of the broader need for global action and the cooperation to conserve our oceans and their biological diversity.

The world's marine biodiversity is facing serious and worsening threats as a result of pollution, over- exploitation, conflicting uses of resources and damage to and destruction of their habitat.

Members interjecting:

The SPEAKER: Order, the Leader of the Opposition and the member for Heysen! I ask that they desist from their conversation across the chamber.

The Hon. I.F. EVANS: As indicated by Senator Hill in Adelaide this week, some of the world's whale populations have been hunted almost to extinction. More than 1.5 million whales were killed in the Southern Hemisphere—

Mr Atkinson interjecting:

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

The Hon. I.F. EVANS: —alone last century. In Australia, whaling was a significant industry that dates back to the early days of European settlement. Many whales were killed, and populations, particularly the magnificent southern right whale, were devastated almost to extinction. In 1980 the then Liberal government of Malcolm Fraser passed legislation banning the hunting of whales in Australian waters.

The actions of the Fraser government helped spark an increase in public awareness and the interest in the conservation of whales. In turn, this has lead to a growth of a significant whale watching industry within Australia. I am advised that in 1998 more than 800 000 people travelling in Australia reported that one of their holiday activities was whale watching. Of course, it is important that the tourism industry continues to grow.

Victor Harbor and the head of the bight are both examples of regional centres where the whale watching industry has created jobs and will continue to create economic growth. It

is therefore disappointing to the state government that the proposed South Pacific whale sanctuary was defeated in the vote by members of the International Whaling Commission this week. The proposed sanctuary would have complemented existing Indian Ocean and Southern Ocean sanctuaries, providing protection for commercial whaling for many whale populations throughout their ranges.

The Southern Ocean sanctuary protects the feeding grounds of the species, while the proposed South Pacific sanctuary would have protected the breeding grounds. Therefore, the government of South Australia certainly shares Senator Hill's disappointment, and we certainly support him in his continued fight to establish that sanctuary.

In our own backyard, I am pleased to report that the government is continuing to take action to promote low impact whale watching. In South Australia, we are indeed lucky as a community to play host to the southern right whales during their winter migration north from the sub-Atlantic feeding areas.

Already this season whales have been sited both at the head of the bight and in the Victor Harbor areas. The southern right whales come very close to the shore and can be easily seen from the coast; hence the great interest in whale watching in South Australia. As a state government, it is certainly our aim to help the whale watchers enjoy the opportunity of watching the southern right whales on their journeys of life—migration—and, most importantly, on their recovery, while ensuring that both the whales and our coast are protected. South Australia has always maintained a very close interest in these whales; for example, take the proclamation in 1996 of the Great Australian Bight marine national park, which forms part of the commonwealth Great Australian Bight Marine Park.

An honourable member interjecting:

The Hon. I.F. EVANS: For the benefit of the independent candidate for Enfield, we will be distributing this in Davenport. To help raise the awareness of the whale, the National Parks and Wildlife Service has developed a community whale information program, the aim of which is to encourage low impact whale watching and to help promote South Australia as a whale watching location, thereby developing our unique regional tourism opportunity.

I had the pleasure of launching this program on the weekend. It incorporates a series of 10 to 12 signposts around the state, making up the South Australian southern right whale tourism trail. As I mentioned, the trail has about 10 to 12 interactive and interpretive signs around the coast, and each sign is themed with a particular aspect of the southern right whales' biology or history, with topics covering, for instance, whaling, its behaviour, identification, migration patterns, breeding, growing, callosities and those sorts of characteristics of the whale. Therefore, each sign is different. They will be placed at different sites around the state such as Robe, Cape Jervis, Penneshaw, Kingscote and Port Lincoln, just to name a few.

I am pleased to have launched this program on the weekend. It is jointly funded by state and commonwealth governments, with good sponsorship from Isuzu/GM Holden's, which has been very generous in its donation of product for raffle prizes, raising over $100 000 to go toward this and other programs. I certainly thank them. The government is pleased to be able to offer a better service to what is a growing area of community interest.

HAMMOND, MEMBER FOR

Ms HURLEY (Deputy Leader of the Opposition): My question is to the Acting Premier. Does the Acting Premier accept the criticisms of the Premier made by senior government backbencher and Chairman of the Public Works Committee, the member for Hammond, on radio this morning?

Mr MEIER: On a point of order, sir, I fail to see the relevance of this to the Deputy Premier as the Acting Premier.

The SPEAKER: Order! The Deputy Premier is here in the capacity of Acting Premier and therefore acting head of government. I will be asking him to respond only in that position and only in those areas in which his responsibility lies.

Ms HURLEY: The member for Hammond stated that the Premier 'doesn't have credibility' and said that the Premier had misled the House over the Motorola contract. The member for Hammond also said that the Premier's colleagues had committed 'cardinal sins of maladministration. . . you know, support for Graham Ingerson and other people along the way, when they'd clearly breached what is considered to be good conduct. So the credibility isn't there and the public are telling me that.' When asked about the recent ETSA mistakes, the member for Hammond said, 'Yeah, how many more do we have to make, for God's sake, before we wake up?' Later in the interview the member for Hammond stated:

> But I'm telling you straight out that it's taking us in the wrong direction. It's all very well to be happy. . . as they were on the *Titanic*; while it was sinking they were playing the piano. It's crazy. . . We are heading in the wrong direction.

The Hon. R.G. KERIN (Acting Premier): I am a little surprised that questions 2 and 3 took media quotes from this morning. The basic question of whether I agree with the member for Hammond was also question 2 and I made perfectly clear that I do not agree with the member for Hammond. The member for Hammond has his own views and, as I said, I do not think that you will find too many people anywhere who totally agree with him, certainly not on this side of the House. I do not know whether the deputy leader wants me to comment about what happened on the *Titanic* and playing the piano, but I hope that from here on question time can focus on some of the affairs of state that might be important to the taxpayer.

INDUSTRY TRAINING

The Hon. R.B. SUCH (Fisher): Will the Minister for Employment and Training outline the measures being undertaken to promote training in the new and emerging industries in South Australia?

Members interjecting:

The Hon. M.K. BRINDAL (Minister for Employment and Training): I can only answer one question; I have so far had 10 questions from members opposite. The opposition is making great play today, although I do not know what of. Let us examine the happy little group over there. The member who is actually the Opposition Whip has been dumped. The member who was the Deputy Leader of the Opposition is apparently out of favour and he has been dumped—a happy little family. Terry Cameron, former senior official of the UTLC is off on his own parade. That is what he is doing—a happy little family. Everything is right and proper over there, I do not think.

Members interjecting:

The SPEAKER: Order! I point out to the minister that he is now debating the subject. I draw him back to the question.

The Hon. M.K. BRINDAL: The substance of the question is about training. I know what they are in training for: they are in training for what they have been in training for for the past 10 years, namely, chaos, havoc and anything but the good of South Australia. That is what they are in training for.

The SPEAKER: Order! I bring the minister back to the question.

The Hon. M.K. BRINDAL: I will take your guidance, sir, because it is a very elaborate answer. To capitalise on the opportunities, the government is working diligently to encourage the development of—perhaps the leader would like to listen: he does not normally, but perhaps he might because he might learn something. To capitalise on these opportunities, the government is working diligently to encourage the development of high growth, job creating industry sectors, particularly in the areas of biotechnology, food, information technology, electronics, minerals and tourism. The key is to have a highly skilled technologically and internationally competitive work force capable of meeting the growing needs of industry and business. That is why the government has made available an additional $15 million over the period 2000-01 to support structured off and on the job training for trainees and apprentices.

Of particular significance to future employment and economic development priorities will be the role played by the government's Employment Council. The council is the peak advisory body to government on employment matters and will have a particular focus in identifying job growth industry sectors for strategic resource allocation. This will feed into the budgetary and economic planning processes for 2001-02. The Employment Council was established to advise government on strategies for stimulating employment growth, strengthening industry, improving coordination of service delivery and increasing the employability of job seekers.

The council has six working parties which were formed to examine areas of strategic importance to South Australia, including emerging industries and the role the council may play in improving the employment outcomes in the following areas: research the real impediments to employment with a particular focus on small business; support and promote enterprise education statewide; review, simplify and improve knowledge of labour market programs and social security systems; increase training opportunities and develop skills for industries requiring IT and related skills—and I know the Minister for Government Enterprises is particularly passionate about this program; to examine employment opportunities from targeted growth sectors in South Australia; and to examine employment opportunities for the development of competitive infrastructure in South Australia.

The key findings and recommendations of the working groups are to form the basis of a coordinated work plan for the council, leading to the preparation of a blueprint for employment in South Australia which will feed into the government's economic and budgetary planning processes. In addition, the government is providing over $3.86 million in 2001-02 to support its priority of working with regional development boards. The government's regional employment strategy provides regions with the flexibility and autonomy to tailor initiatives to meet their unique regional employment needs.

Mr Conlon interjecting:

The Hon. M.K. BRINDAL: An example of this is the recent placement of more than 100 trainees in the Spencer Gulf region to assist the local aquaculture industry—and I know the member for Flinders and the member for Stuart (because of his association with the area) will be very interested in this. There has been a substantial investment in our state by leading IT companies such as EDS and Optus and this government has encouraged a responsive training system in order to meet the increased demands for the skills required in these emerging industries.

In South Australia, enrolments in the government funded course areas including computer-based information science, computer science and electrical, electronic, computer and communication engineering have in fact increased by over 58 per cent—which is a remarkable result—over four years from 59 400 in 1995—

Mr Koutsantonis interjecting:

The SPEAKER: Order!

The Hon. M.K. BRINDAL: —to 93 876 places in 1998. In 1998, the VET sector delivered over 2 million hours of training in these areas. This represents over 10 per cent of all the publicly funded VET hours in South Australia in 1998 and is something of an achievement. The successful statewide information technology program delivered IT skills training in response to local needs. In one example, between three providers (NASTEC Solutions, Regency TAFE and Salisbury High School) a number of students were accepted into university, and one student from Regency TAFE was offered ongoing employment in a local small business. Technology is also used to assist people engaged in training by providing distance learning options which provide a flexible methodology. This occurs in both the public and private sectors, with just two examples being—

Mr Koutsantonis: Only two?

The Hon. M.K. BRINDAL: Only two, or should I give them more? First, a non-government RTO (Trison Business College)—

An honourable member interjecting:

The Hon. M.K. BRINDAL: I'm delivering a fulsome answer—delivers a range of programs, including small business management and workplace training, to students from many parts of South Australia such as Mount Gambier, Coober Pedy and Whyalla. Over 4 000 TAFE students are presently studying online from a range of 200 subjects, and these students in workplace community centres—

Mr CLARKE: I rise on a point of order, Mr Speaker. This is a gross abuse of question time. This answer is perfectly capable of being made in a ministerial statement. The minister is obviously frightened that the member for Hammond might get up and ask a question about his own—

The SPEAKER: Order! The honourable member will resume his seat. From the chair's point of view, the minister is still within standing order 98, but I point out that there are opportunities for ministerial statements.

The Hon. M.K. BRINDAL: I will endeavour to wind up my answer briefly and provide my colleagues who are interested in this subject with a more—

Ms Stevens interjecting:

The SPEAKER: Order! I ask the minister to continue winding up his answer.

The Hon. M.K. BRINDAL: In May, I committed $15 000 to the Murraylands Regional Development Board towards supporting the development of a new declared vocation of irrigation technician. This promises to be an exciting new industry. I have had discussions with the Vice-

Chancellor of Adelaide University on this matter. This government is committed to ensuring that it is part of the response to these emerging demands. As I said, I could make three or four more important points, but I will supply those to my colleagues who are interested in this subject after question time, as the opposition is impatient to continue with its sideshow.

GOVERNMENT ENTERPRISES MINISTER

Ms HURLEY (Deputy Leader of the Opposition): When the Acting Premier spoke to the Premier late last night to tell him of the need to withdraw the TAB and Lotteries Commission bills and adjourn the Ports Corporation bill, did the Premier express confidence in the Minister for Government Enterprises, who is responsible for these bills?

The Hon. R.G. KERIN (Acting Premier): It is obvious that the opposition is extremely short of questions today. The second and third questions came from transcripts, and the fourth question is a hypothetical one regarding what might have been said between the Premier and me. The Premier did not express any dissatisfaction whatsoever with the Minister for Government Enterprises. I hate to disappoint members opposite, but we talked about a whole range of issues, and that certainly was not one.

Members interjecting:

The SPEAKER: Order!

RURAL SERVICES

The Hon. G.M. GUNN (Stuart): Will the Acting Premier advise the House whether it is the government's view that rural towns below a certain population should have their services withdrawn? My attention has been drawn to comments by an academic who cast aspersions on small rural communities across Australia. I am sure the Acting Premier would want to assure the House that the government supports these small communities, which are the heart and soul of South Australia, and they are—

The SPEAKER: Order! The honourable member is now commenting.

Members interjecting:

The SPEAKER: Order! Members on my left will come to order.

The Hon. G.M. GUNN: —essential to rural South Australia's future.

The SPEAKER: Order! I point out that comment is right out of order in the explanation to a question.

The Hon. R.G. KERIN (Acting Premier): I thank the member for Stuart for the question. I know that when he read that thesis his reaction would have been much the same as my own: that (with apologies to the member for Fisher) academia must be in a warm and cuddly position, because it is a hell of a long way from reality. The thesis put forward by this academic totally ignores reality. People in country towns are not just numbers: they are actual people. Country towns are not just houses, roads and infrastructure: they are special communities, with a strong sense of community. While some of the advantages available to metropolitan communities are not available to everyone in small towns, I can say from living in a small town myself (and many live in even smaller towns) that the great strength of the community and the support you give to and receive from each other greatly outweigh some of the disadvantages of living out there.

The thesis also ignores the fact that the house someone lives in is not just a house: it is very much a home. Many people in country areas have held properties for generations. That is an important factor, and to try to move people from those towns into bigger towns is to remove the major asset in their lives. Buying into a larger town would be extremely difficult. Volunteerism characterises many of those communities. There is a culture of caring and sharing; people in the metropolitan area would see that more in terms of family, but in country areas you are often lucky enough to have not only a family but also the community there helping you. The thesis put forward is purely about services and governments, and is very much at odds with the views and policies of this government. The regional development task force which the Premier set up focused on the values of these small communities. In its discussions the regional development council has made perfectly clear that we need to support these communities, not wind them up in any way.

Central to these small towns is the quality of life they enjoy, and that comes out loud and clear. I see in this morning's press the Mayor of Peterborough, Ruth Whittle, has invited the academic to visit Peterborough, and I think he would do extremely well to do so. Peterborough fits well under his figure of 4 000; it has about 2 000 people. If he does that I suggest that he visit towns such as Koolunga, Brinkworth, Mintaro and Red Hill, from which he will go back to the comfort of his social laboratory with a far greater idea of what country towns and people are actually about. Small towns are very much about people, community and quality of life, and there is a certain lifestyle. Many people do not want the glitz of the city; they enjoy the lifestyle that is available in those towns. Despite academics and whatever might happen, I feel that country towns have a great future, and they certainly have the support of this government.

LEGISLATIVE PROGRAM

Ms HURLEY (Deputy Leader of the Opposition): When the Acting Premier spoke with the Premier late last night informing him of the need to adjourn the Ports Corporation bill and withdraw the TAB and lotteries bills, did he ask the Premier to return home immediately, given the collapse in the government's legislative program?

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN (Acting Premier): Once again the opposition is obviously extremely short on questions. What I told the Premier was to make sure he looked after himself, did not work too hard and got lots of sleep.

Members interjecting:

The SPEAKER: Order!

SMALL BUSINESS

Mr VENNING (Schubert): My question is directed to the Minister for Information Economy—

Members interjecting:

The SPEAKER: Order! I warn the leader.

Mr VENNING: Can the minister advise the House on recent initiatives to assist small business to join the information economy?

The Hon. M.H. ARMITAGE (Minister for Information Economy): I thank the member for Schubert for his question.

Mr Foley interjecting:

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

The Hon. M.H. ARMITAGE: I suppose the important thing is that the government is doing a lot about encouraging small business to be in the information economy. The point that we are making, both to small business men and women and to members of the community is that, factually, you do not even need to touch a computer because the banks, the supermarkets, the service stations, and so on, are doing it for you and we are all being drawn into the information economy, where connectivity is the key. If small businesses want to be a part of the information economy, clearly, we need to provide them with the opportunity to participate on a global scale so that they are able to be part of that future, particularly for the important business to business (or, as they are known, B to B) and business to consumer (B to C) electronic transactions.

There are endless examples of successful small businesses which have grown once they have become electronically enabled. One particular example of this is Deborah Ferguson, who runs Winners Circle Brow Bands, which I understand is based at Meadows in South Australia and which produces the braided ribbon brow bands for horses. Recognising a potential international demand for this commodity, I am told that Deborah established a web site with online ordering capacity and promoted her product through international horse trials, horse circles, horse journals, and so on, and she is now receiving many orders for her product from consumers and distributors all over the world. So, this is a clear example of what can happen in small businesses.

We have sponsored the publication of an electronic business edition of the business magazine *Insight*, and that was distributed to every business postal address in the state. I am really looking forward to the day when we do not have to send them via the post, when we can send such material electronically, because that is when we will be able to say that our community is prepared for the future. We also have developed a business checklist through the Information Economy Policy Office, which will enable businesses, particularly small businesses, to self-assess their progress against the opportunities and the threats of the internet. There is no point in ignoring the fact that the electronic world provides some threats to our community if we do not grasp the opportunities. However, as I have said before, at the end of the industrial revolution there were a number of people who, presumably, were still attempting to breed stronger draft horses. That may well have been the case but, frankly, we need to ensure that everyone has the opportunity to grasp the sorts of benefits which are accruing through the information economy as the people who moved into tractors, and so on, did in the industrial revolution.

We also have held a number of seminars assisting local small businesses through the networks for youth centres. I recently opened such a seminar in Renmark, and it was terrific to see the number of local business owners who attended, with a keen sense of interest in learning more about the internet and the possibilities. What was particularly pleasing was that it was a large hall with many chairs, and I am told that the organisers had to get many more because they had greatly underestimated the interest that the local business owners would have in this subject.

It is very positive that small businesses are seeing the importance of this, but we are committed to doing more. The finishing touches to an e-business kit for small businesses are currently being applied and we are in the last throes of honing our advice on how we will be delivering the future in the information economy for South Australia. Those opportunities to engage all South Australians, and especially small business, are key factors in preparing South Australia for the future.

HOSPITAL PATIENT

Ms STEVENS (Elizabeth): Is the Minister for Human Services satisfied that patient records and bookings at our major public hospitals are accurate and that admissions for people waiting for treatment are not being delayed by mistakes? On 14 June 2000 the Queen Elizabeth Hospital wrote to Hilton Turnbull, confirming a booking into the maternity section for 20 September 2000. The Turnbull family replied saying that they were absolutely thrilled at the news of Hilton's pending confinement and said that they were impressed beyond belief at the hospital's ongoing concern for his welfare. The family also said that they were at a loss to know how Hilton, whom they described as a 'lovable larrikin' and who had lived life to the full and served in Borneo in the Second World War, had got in the family way, as he had passed away in 1973.

The Hon. DEAN BROWN (Minister for Human Services): I suppose that, when you deal with approximately 1.5 million hospital patients a year, a mistake will occasionally be made.

The Hon. M.H. Armitage: You were in government in 1973; what was wrong with your system? You were in government.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

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

Mr Atkinson interjecting:

The SPEAKER: Order! I warn the member for Spence. The next honourable member will be named.

The Hon. DEAN BROWN: I will look at why such a mistake was made. I apologise to the family involved. I will see why the system broke down to the extent that it obviously did in sending a letter to the wrong person.

COMMUNITY WELFARE

Mr SCALZI (Hartley): Will the Minister for Human Services advise the House how the government is assisting non-government organisations to better help those in need?

The Hon. DEAN BROWN (Minister for Human Services): It is recognised that there is considerable demand in the community from people on low incomes who suddenly find themselves without a home. I have had feedback from a range of organisations in the past couple of weeks that demand is at present particularly high. This may be as a result of some of the changes that have occurred at a federal level with the family allowances. Some people may not have completed applications for family allowances. Certainly, the experience is that, at present, the demand on community welfare services is high. I think that an article recently appeared in the newspaper in which Westcare indicated that the number of people requesting its services had increased.

It appears that the use of heroin, in particular, and the impact that that is having on individuals and families has increased; and we know that gambling addiction has increased. As a result, there is unprecedented demand. I am pleased to announce that late last week I sent letters allocating

$5 million to about 100 organisations. These organisations work in a range of different areas, and I put them into three broad categories, the first of which is those that work with family and children to make sure that the family unit is kept together as much as possible. We have made a very significant total allocation in that area and, in particular, it is distributed to organisations such as Anglicare, the Centre Care Catholic Family Service, Lutheran Community Care, Port Adelaide Central Mission, Port Pirie Central Mission and many others. As I said, in total I have sent letters to 100 different organisations regarding grants. Some organisations in this area received more than one grant.

The second broad area is support for those who deal specifically with low income families, people who just cannot get money for food, and so on. They invariably give financial or food assistance, shelter or a meal, as Centre Care and many others do. We are helping a range of organisations in that area. The third area is neighbourhood development. This is to strengthen the family. In particular, it includes mentoring and family programs, especially help for single parent families making sure that they are able to cope. A lot of the organisations receiving help are in the country, because we perceive that invariably in the country a lot of these country towns do not have the other supports that you would normally find available. I am pleased to be able to indicate to the House that $5 million has been made available for support of families in a moment of crisis within our community, and I am sure they would welcome the letters they would now have received.

HOSPITALS, WAITING LISTS

Ms STEVENS (Elizabeth): My question is directed to the Minister for Human Services. Are patients being placed at risk by the increase in the percentage of urgent and semi-urgent cases not receiving surgery within the recommended time, and the increase in the number of patients waiting more than 12 months for surgery? The latest elective surgery bulletin, published by the minister's department for the March quarter, shows that the percentage of urgent patients treated on time fell from 88 per cent to 84.6 per cent compared with the same period last year. The percentage of semi-urgent patients who were treated on time fell from 88.1 per cent to 79.8 per cent and that the number of people waiting longer than 12 months for surgery almost doubled, from 601 in March 1999 to 1 167 in March 2000.

The Hon. DEAN BROWN (Minister for Human Services): The honourable member has given figures that we put out publicly. They are on the internet, so there is nothing new about them; we do not hide the facts. In fact, some more recent figures are available. The issue is that we set benchmarks there, and we try to achieve those benchmarks. It varies from one period of the year to the next as to how well we achieve that. In winter time, particularly if there are a lot of winter ills around, it is particularly difficult to achieve those targets because of the increased loads on the public hospital system. I am concerned that we have national benchmarks and we try to achieve those benchmarks.

Mr Conlon interjecting:

The SPEAKER: Order, the member for Elder!

The Hon. DEAN BROWN: If we do not just meet those benchmarks; we strive to constantly improve, and we will continue to do that. With regard to whether people's lives are put at risk, the answer would be 'No,' and I say that fairly. The quality of care and the inconvenience may be increased, and in some cases the time frame in which they may receive an operation may be less than desirable, so the quality of life for some of those individuals would be affected.

Ms Stevens interjecting:

The SPEAKER: Order! The member for Elizabeth will just contain herself.

The Hon. DEAN BROWN: That is why I have constantly argued to make sure that the public hospital system, particularly with the collapse of private insurance, the ageing of the population and new medical technology, is adequately funded long-term. I have argued this for quite some time, and those pressures continue to increase. However, we monitor the situation very carefully. We particularly tried to look at what may be the cause of delay of any elective surgery. In fact, I get figures through on a monthly basis. The majority of elective surgery is cancelled because patients themselves have asked for it not to proceed. They may be ill, or for some other reason they are unable to go ahead with it.

However, there are occasions where the hospital itself delays the elective surgery, particularly in winter time due to a shortage of beds. We are looking at reasons for that, and we are trying to keep those cases to an absolute minimum. We are concerned about the quality of health care. We carefully monitor the situation and will continue to do so. I will continue to argue to make sure that we have the funds so that we are able to treat everyone within the time limits given.

ABORIGINAL JUVENILE JUSTICE

Mr WILLIAMS (MacKillop): Will the Minister for Aboriginal Affairs advise the House of improvements the government is making to improve the juvenile justice system as it relates to Aboriginal children?

The Hon. D.C. KOTZ (Minister for Aboriginal Affairs): We all realise that there are many areas of concern in the issue the honourable member raises. It is important to acknowledge the need to be able to work with Aboriginal communities to address the problems associated with juvenile offenders and the way in which the justice system deals with young Aboriginal people. The important role played by senior family members and community elders in Aboriginal culture should not be overstated. Community and family breakdown, and certainly dislocation, have taken particular toll on young Aboriginal people.

I am pleased to inform members that increased participation of young Aboriginal people in family conferencing was one very positive factor that came out of a recent report on juvenile justice. The evidence through that report suggests that the participation within such programs has been on the increase since about 1996. The rate at which Aboriginal and non-Aboriginal youth were being referred to family conferences was about the same percentage, at approximately 18 per cent. The major difference was that the non-Aboriginal youth were almost three times as likely as Aboriginal youth to receive a formal caution and as a result were less likely to be referred to a Youth Court.

The Office of Crime Statistics has received a great deal of support through the Attorney-General to establish a juvenile justice monitoring group and a juvenile justice steering committee. I am pleased to say that officers of the Division of State Aboriginal Affairs are participating on that steering committee. At the same time, the government is working with Aboriginal communities to combat the serious problem of illicit drugs and alcohol, which is a major cause of offending behaviour. Educational programs in schools, the establish-

ment of a drug action team by the South Australian Police, and the employment of drug and alcohol workers in community health centres are some of the important actions already being taken on these issues.

An investigation is also currently under way for the establishment of what is called a kinship support project where Aboriginal families work with and provide support to other Aboriginal families to overcome some of the drug related problems. Understanding the very important role that elders have within Aboriginal communities, an Aboriginal grannies group, which has been holding meetings on the effects of drug use by young people, will be meeting with the whole of government coordinating committee on drugs at a strategic planning workshop later this week.

The Port Augusta Aboriginal community is also looking to establish a community panel that would provide advice to police for diverse options. An interim panel has also been established, and a highly successful Aboriginal community justice seminar took place only just last week. I am also pleased to report that the government is working with the Murray Bridge community to support youth initiatives such as the Murray Bridge youth project, a community project involving not only local youth but Aboriginal elders, government organisations and the local police. The project engages Aboriginal youth in healthy lifestyle activities and includes such things as training and recreational activity as a means of diverting them from negative behaviour, which can lead to those steps towards the committing of offences. This government fully understands the need to involve Aboriginal communities in juvenile justice issues if we are to reduce the number of offences and the tragedy of incarceration, and Aboriginal communities—and I applaud them for this—are certainly taking seriously their responsibilities to help young people overcome these problems.

MODBURY HOSPITAL

Ms RANKINE (Wright): Will the Minister for Human Services as a matter of urgency provide this House with the detailed results of investigations he undertook to conduct into Modbury Hospital in relation to the deaths of Mr Edward Hobby and Ms Sandra Sanders and into the care of aged patients he promised back in August last year?

In a media report of 19 February this year into the findings of the state Coroner in relation to Mr Edward Hobby's treatment and death at Modbury Hospital, it was stated that the Department of Human Services would undertake an urgent review of practices at the hospital. On 6 April this year, the state Coroner was again reported as being scathingly critical of procedures at Modbury Hospital, this time in relation to the death of a mental health patient Mrs Sandra Sanders. On 12 April, in response to a question from the member for Elizabeth, the minister undertook to report to this House on the Sandra Sanders case.

In August last year the minister wrote to me advising that the CEO of his department would investigate and report back on the concerns I had raised in this House about the treatment of elderly patients at Modbury Hospital. I have received no further advice about the concerns I raised and, to the best of my knowledge, none of the findings of the investigations he undertook to conduct have been made available.

The Hon. DEAN BROWN (Minister for Human Services): The Coroner is the appropriate person to carry out an independent investigation. The Coroner, in fact, has carried out an investigation and released the findings and we have acted on those findings.

Ms Stevens interjecting:

The Hon. DEAN BROWN: I can indicate that a senior clinical person was sent out to deal with matters in accident and emergency at Modbury Hospital, and the scope of that work was extended further to include other aspects where criticism had been raised by the Coroner.

Ms Stevens interjecting:

The Hon. DEAN BROWN: I can report to the House that I have raised this matter before. I have indicated that the Coroner has made certain recommendations. We have sent a senior clinician out there to go through the procedures at the hospital, and I think I have also put in a number of letters that members have raised as well. That clinician has dealt with the issues. The clinician is someone experienced in the procedures at the Royal Adelaide Hospital, and I can assure members that practices have changed at Modbury Hospital as a result of it.

PRISON ESCAPES

Mr CONDOUS (Colton): Can the Minister for Police, Correctional Services and Emergency Services advise the House on the number of escapes from South Australia's correctional institutions in 1999-2000?

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): It is a pity that the Leader of the Opposition is not still in the chamber because the Leader of the Opposition in typical 'Mike negative Rann' fashion is happy to jump on the bandwagon for a short time when he thinks he might get a media grab but, sadly, lacks the capacity to actually deal with the facts and check out with the relevant minister just what is happening when it comes to prevention of escapes in the prison system.

While I have said on a number of occasions that one escape is one too many and that the department and I as minister must do everything in our power to ensure that we do not have escapes in the prison system, the fact remains that around the world from time to time prisoners do escape. I hope, also, that some of the media will pick up this issue because I noted with a great deal of interest that some of the media were happy to run stories about escapes for over a week—fanned by a lot of innuendo from the negative Leader of the Opposition.

In the past financial year ending 30 June, we have actually seen the second lowest number of escapes in over a decade in the South Australian prison system. During 1999-2000 the total number of escapes was 10. During the previous period of both Liberal and Labor governments, over an average period during the rest of that decade, we saw escapes up more around 20 on average a year. So, we have been able to achieve the second lowest number of escapes in over a decade.

The other point that I want to raise is that, when prisoners do escape, as I have also said before, they get caught—and almost without exception they get caught within a few days. If ever there was an example for prisoners who may be contemplating an avenue of escape—

An honourable member interjecting:

The Hon. R.L. BROKENSHIRE: Well, they might not read *Hansard*, but they do listen to the radio, and they would know from listening to the radio that the two prisoners who escaped from Mobilong are now suffering the consequences.

We have spent well over $3 million on installing state-of-the-art security equipment in many prisons over the past 12 to 18 months. That has proved to be very successful. I congratulate the department for the work it did to internally develop this technology which is second to none in this country. I have said this before, and I say it again to the Public Service Association, that we pay good money and that we rely on the people who are looking after the prisoners to exercise due diligence. The fact is that the two prisoners who escaped from Mobilong have been through the courts system and received for their two days out an additional 14 months on the top end of their sentences.

GRIEVANCE DEBATE

Ms STEVENS (Elizabeth): I would like to put on the record the full text of a letter written to the Chief Medical Officer and the Public Relations Manager of the Queen Elizabeth Hospital. The letter, dated 21 June 2000 and signed by D.H. Turnbull (for the Turnbull family), states:

> The Turnbull family have asked me to write personally to you both to express our sincere thanks in your kind consideration of Hilton Turnbull and the arrangements for admittance to the maternity section of the hospital. To assist in the correct maintenance of your records we would ask that you first note that PO Box 93C at Renmark was deleted from service in the 1970s and that further correspondence should be addressed as above. You may deem other alterations necessary at the conclusion of reading this letter.
>
> We are most grateful for the inclusion of your pamphlets *Caring for You* and *An Abridged Guide to Your Rights and Responsibilities* particularly because it seems to us that young Hilton may not have been measuring up to his responsibilities of late. Indeed, we note the last paragraph of this brochure which reads: 'Any concerns regarding care (either from the patient or the carers) should be brought to the immediate attention of the unit's Clinical Nurse Manager.'
>
> While your covering letter indicates a sincere intent at ongoing care and concern, which may be regarded by some as 'beyond the call of duty', we do feel obliged to write this letter to you. You see, while direct contact with Hilton has been a little sparse of late, the family is completely unaware of Hilton's condition which apparently requires his admission to the maternity section of the Queen Elizabeth Hospital. Hilton was born in 1910 and passed away in 1973. While he always wanted to 'live life to the full' and some appreciated him as a 'lovable larrikin', particularly after he saw service in the Australian Army in Borneo and elsewhere during World War 2, his family are completely at a loss to understand how he would have allowed himself to now 'get in the family way'. We are not quite sure how to now involve his wife (Elizabeth Jean Turnbull) who unfortunately passed from this life in 1992, aged 82. Your valued counselling facilities might assist us.
>
> In conclusion, however, let us assure you that all family members are absolutely thrilled at the news of Hilton's pending confinement in the maternity section of the hospital and are impressed 'beyond belief' at your ongoing concern for his welfare. Would you please convey this thanks to your entire staff notwithstanding our request that you investigate the need to update your records and correspondence administration accordingly.
>
> Yours sincerely,
> D.H. Turnbull (for the Turnbull family)

I may have had a laugh when I first read the contents of that letter and perhaps others hearing it recounted might have thought it amusing, but I think it illustrates an important and serious point. In the last week or so, my colleague the member for Kaurna related to the House the instance of a woman who had a particularly virulent form of cancer and who had organised some appointments with the Flinders Medical Centre for treatment of that cancer. On 1 June this year, the Flinders Medical Centre wrote her a letter detailing three appointments that had been made for her on 5, 8 and 13 June. The appointment on 8 June was considered urgent. The problem was that the Flinders Medical Centre did not get around to posting the letter until 13 days later. She received the letter on 14 June and, consequently, missed all three appointments.

That incident happened at the Flinders Medical Centre and we have had this incredible mix-up relating to the late Hilton Turnbull. One must ask what is going on when two of our major hospitals are making mistakes such as these. It must be said that we have real problems with our booking systems. Why is this happening? One must wonder what is going on in those hospitals and with those systems. The question must also be asked: what sort of stress are hospitals under? We all know that hospitals have suffered constant cuts over the past six years, and I think we must acknowledge that these incidents are a result of those cuts.

Time expired.

Mr SCALZI (Hartley): On 27 June, I drew to the attention of the House problems associated with private health cover for the elderly. I raised this matter because of the publicity in the community regarding the need to enrol in a private health fund before 30 June this year. I commented on the fact that it was unreasonable to expect people to pay premiums for 20 or 30 years but then not to be covered when they reached retirement age and were in receipt of a pension or superannuation. How can a pensioner or a self-funded retiree be expected to pay $2 400, as we do, for the health cover which they have been used to?

You can imagine how I felt this morning when I saw an article on the front page of the *Financial Review* headed 'MBF plans US-style limit on treatments'. Australia has always prided itself on being fair and looking after the less fortunate, so I was amazed that any private health fund would have plans to limit the benefits of certain members. The article states:

> Giant private health insurer MBF plans to impose a 'lifetime' limit on the number of treatments it will fund for members suffering a chronic condition, in a move attacked as evidence of managed care entering the health system. The potentially disabling condition, called lymphoedema, causes swollen limbs and is experienced by about 150 000 Australians.

I can accept a cap on some forms of dental treatment and cosmetic surgery, etc., but to put a cap on a condition such as this I think goes beyond the pale. I commend the Australian Medical Association for immediately condemning this move 'as a prime example of the much-feared US-style managed care'. As I said previously, Australia has always looked after the less fortunate.

If people pay up to $2 400 a year for private health cover, imposing that type of restriction seems un-Australian to me. I agree with the AMA; that move should be condemned, because the health funds are not too shy in coming forward to get assistance from the publicly funded taxpayer. I believe they should have an obligation to make sure that health care for private patients is maintained, not only while they are paying but also when they are at retirement age. I commend the private hospitals association and other private health funds and associations that do not agree with such a move, because it would be the thin end of the wedge. We cannot base health care purely in economic terms; we cannot allow the market to determine this type of thing. If you are paying these premiums you should be cared for and looked after,

especially when you are unfortunate enough to have one of those conditions.

Mrs GERAGHTY (Torrens): I foreshadow the motion that the member for Elizabeth will move tomorrow and will talk about the pamphlet that has been circulated on behalf of domiciliary care which outlines the fees and charges that will be passed on to people who use domiciliary care services. Several pamphlets which I have seen and which have been sent to my constituents and no doubt also those of other members have caused the most incredible amount of anger and have upset many people. They have particularly upset the elderly folk who use the domiciliary care services. In fact, I think the member for Kaurna said some of his constituents had returned some of the equipment they had been using because they were so confused and concerned. So many frail aged people and people with disabilities in our community use a multitude of apparatus, and in some cases they are likely to be paying full fees; not everyone will be able to avail themselves of the concession fees, and I must say that even those are pretty outrageous.

As late as Monday afternoon I was told that some of the information in the pamphlet was incorrect, and obviously that has further compounded the confusion out in our community. The pamphlet states that concession card holders will have to pay up to a maximum of $20 per month, which will be made up of $2.50 per item. That could include a walking frame, a guard for a toilet seat or some other apparatus. Non-concession card holders who may just marginally be above the means test will now be slugged up to $50 a month. That is an incredible blow for people in our community who simply cannot live in a comfortable manner without these facilities.

We know that the federal government has decreased its financial commitment to HACC, and clearly these arrangements are an approaching catastrophe. We have debated in this House many times the financial problems facing our aged pensioners and families who live on fixed and low incomes. They simply have no further surplus from their finances to pull out of the hat to pay the extra bills they are now facing. They not only face paying for these domiciliary care services but will now also be faced with 12 per cent proposed power charges, as well as all the other state government fees and charges that are lumped onto these people. Their income is fixed and they are stuck.

The pamphlet goes on to state that people can apply for a waiver if they cannot afford it. I have read the options for applying for a waiver, and I would say that most people will not meet the test; they will fall right outside. They are completely confused by the waiver criteria, which are too unwieldy and confusing for them. They will either not apply, or apply, make an error and miss out.

People are also confused about when the fees will apply. The pamphlet states that the system will commence on 1 July when in fact there has been a change and it will apply from 1 September. They are also told that they will get a backdated account. They have made the assumption—as one would—that they will get a three-month backdated account. That caused even greater confusion; people were in tears and completely distressed about getting a three-month account. They cannot afford to pay a one-month account; they will never be able to afford a three-month backdated account. People have not had explained to them that those fees will not apply until 1 September. This whole thing has been an absolute shemozzle. It has distressed so many frail aged people and people with disabilities that it is an absolute disgrace. We are asking the government to spell out the options clearly.

Mr MEIER (Goyder): Today members will be aware that I presented a petition to this House with some 3 813 signatures from people opposing any proposal by Tiparra Sanctuary Pty Ltd to gain tenure of the 22 kilometres of foreshore adjacent to Cape Elizabeth on Yorke Peninsula. The people who signed that petition totally opposed any plans by Tiparra Sanctuary Pty Ltd to construct seawalls at the northern and southern ends of the Cape Elizabeth area, thereby denying the public free and unrestricted access along the foreshore. Those 3 813 signatures involve a lot of people and clearly indicate that the people of Yorke Peninsula do not want 22 kilometres of their coastline fenced off and denied to public access. I was very heartened by the response to the petitions, and in particular I thank Mr Terry Wilkinson, who was one of the key people who organised the petitions quite some time ago. He has made sure that everyone on Yorke Peninsula and beyond is aware of the proposal by Tiparra Sanctuary to try to establish an earth sanctuary on Yorke Peninsula.

Basically the group (and I concur fully in this) has no problem with the concept of an animal sanctuary on Yorke Peninsula. In fact, Mr John Wamsley (the person associated with this project) owns a significant amount of land already, but to decide that they want to take over 22 kilometres of beach, some of which is the most pristine beach you would see—I would say, in the world—is taking it much too far. I for one am totally opposed to the proposition. In fact, I believe that public access and public ownership of the beach over the 22 kilometres which Tiparra Sanctuary Pty Ltd wants to procure is an inalienable right for the people of this state to continue to enjoy, free of any charge. It is all very well to try to come up with a project that will supposedly preserve animals, but I do not believe that that is the first intention of Tiparra Sanctuary. I believe that the first intention is to endeavour to make it a high-class venture that will attract overseas tourists—and I have no problems with overseas tourists coming. However, they will have to pay a significant amount to get into that sanctuary and, basically, enjoy the beach.

I am very heartened by the strong representations made to this parliament by more than 3 800 people and, again, I express my thanks to everyone concerned. Certainly, I am continuing to have further negotiations on this matter, particularly with the Minister for Transport and Urban Planning (Hon. Diana Laidlaw). It is quite possible that the application by Tiparra Sanctuary to the Development Assessment Corporation may not even proceed further if no security of tenure is given and I, for one, do not believe that the government should give any tenure to any private person or company: it should remain in public ownership.

I want to comment briefly on an article about a Deakin University academic suggesting that towns with a population below 4 000 should be allowed to slowly die. What a ridiculous concept; what a ridiculous proposal! In my electorate of Goyder, which includes all Yorke Peninsula, we would not have one town that would be allowed to remain if this proposal went ahead. The peninsula would be devoid of any town. I think that shows the stupidity of this proposal, and perhaps it highlights the fact that people who live in city areas have no concept of our rural towns and our rural areas. I hope that this academic is educated by people in smaller

towns as soon as possible to make him realise the importance of our towns and rural areas in South Australia.

Ms BEDFORD (Florey): I would like to recognise that the land we meet on is Kaurna land, and I pay my respects to the traditional custodians of the Adelaide Plains: Kaurna meyunna, Karuna yerta tampendi—recognising Kaurna people and their land. I do so today because this is, of course, NAIDOC Week, and there are very many special events planned this week. I would like to speak about two such events today.

On Monday, there was a flag raising and a quilt launch at my electorate office. The local reconciliation task force at Florey hosted about 60 people, comprising school groups and adults—we had about 30 children there altogether—and we raised the flags with the elders and handed out our quilt kits. This kit comprises a piece of material which we are asking each of the schools and churches in our area to decorate with their logo and people's handprints. We will then assemble the quilt and have it exhibited at various places within the electorate. It will be there in very much the same way as the flags are flying over this building today, so that people see these quilts as they see the flags and think about solidarity with indigenous people and how we might further walk along the journey of healing together for a harmonious life in South Australia and, indeed, Australia.

Later on that Monday, with your permission, sir, we used the members' dining room for a book launch. I was honoured to be the host for the launch of the book *Aboriginal Women by Degrees* edited by Associate Professor Dr Mary Ann Bin-Sallik. Mary Ann is the Dean of the College of Indigenous Education and Research at the University of South Australia, which was the first university in Australia to embed a commitment to indigenous education in its constitution; the first university to produce a statement of commitment to reconciliation reflecting these values; and the nation's leading university in studies of Aboriginal management, professional education development and indigenous research and education strategies.

Mary Ann also made history a decade ago as the first Aboriginal woman to complete a doctorate at Harvard University and in her leading role as co-convener of the stolen generation inquiry in South Australia; her work with the Miller review on Aboriginal employment; her role in the formative early days of the Aboriginal Task Force in South Australia, with its introduction of Aboriginal education into the tertiary sector and its lead role in the development of curriculum approaches to recognising and theorising self-determination in universities; and her outstanding achievement record of community and scholarly contribution in indigenous affairs marks her as a national leader in her field.

In addition to the public and professional woman, Mary Ann has a rich and very personal story to tell of her journey—from the rich mix of family and community life in Broome to nursing in Darwin; from the sustaining spirit of the Kimberley country to the Ivy League world of Harvard; from her journey as daughter to mother and granddaughter now to grandmother.

Her book documents and celebrates both the public achievements and the private journeys of a group of women who share their stories, hopes and dreams, their goals and growth in their lives as an inspiration for all of us who follow them. The stories contain anecdotes triumphs, the academic successes and the private joys that are made more remarkable when they are seen against the backdrop of the journey to reconciliation in a nation yet to embrace its soul: a nation which, even as we speak at the beginning of NAIDOC Week this year, has yet to properly acknowledge and come to terms with its racist and often appallingly cruel history.

We can be justifiably proud here in South Australia of our record supporting women's rights to stand and vote for parliament, of knowing that the first election of a federated Australian parliament a century ago included the votes of both indigenous and non-indigenous South Australians and that, particularly through the Dunstan Labor era of reform, anti-racist laws were first established here, as were the first negotiated native title land rights for the Pitjantjatjara people.

There was not, and there still is not, a level playing field in this country for Aboriginal people in health, employment, politics or, indeed, education. We cannot walk away from our past, rule a line across the page and say that we all start equally from today until true economic social and civil equity is enshrined in our laws, our institutions and our systems of government.

The book is really worth reading. As I said, it outlines the story of many indigenous women who have struggled and won. I know that I feel stronger for being made aware of their extraordinary efforts and the fact that they did not, and would not, give up their dreams. They strove to achieve success and kept faith in themselves so that they could lead not only full and enriched lives but also set a shining example for the young indigenous people who follow them.

Mr LEWIS (Hammond): There is an outfit called American Boulevard. They say that they are 'the legendary distributers (sic) of American leading hip hop labels and urbanware and Dome Productions in 'corporation' with FWUH Productions'. They say that, in conjunction with FWUH Productions, they bring to Adelaide in January this year the 'Likwit Crew and the Alkaholiks'. What happened, in fact, was that the proprietor of that business charged $35 for a pre-sold ticket and never delivered on the concert. He has ripped off hundreds of young people around the metropolitan area, certainly in South Australia.

I have received a letter of complaint from a young lady named Cheryl, who is now 17 years old and who was, at the time that she bought the ticket, 16. She says in the letter:

> In December 1999 or early January 2000 I, along with many other young people, purchased a ticket to a concert. The bands advertised and the performance listed on the tickets were Xzibit, The Likwit Crew and The Alkaholiks. January's concert was cancelled, or delayed, and we were told that they would be coming on 14 February. This happened again in February, and the concert was deferred again, supposedly until 17 March. We were given the same story again, each month up until May. That was five cancellations and no concert.
>
> In May. . . we were finally told they would definitely be here [that is, the bands]. The man who seems to be in charge of, or the manager of, American Boulevard kept giving me excuses when I questioned him about this issue. This time, he said, they would be arriving and making appearances at his club that night and be in his shop for the next week, although they would not be performing that night, which was what he told us only days before. I could not go to find out if they were at that club that night (because I am under age) but some of my friends did. I visited American Boulevard that week. Each time we went it was closed [they were not there].
>
> The next Friday was the day that this man had told us it was really going to happen (although he had told us that many times before). I saw him walking down the mall that night and he casually said that it would be on the next night. On Saturday, we all turned up at his club, which was the venue they had changed it to—I don't even think that change was advertised so I'm sure many people missed out. I saw the man outside as I was lining up and I spoke to him about the bands and performers, asking if they were really showing up that night. (I had confronted him before about all of this,

telling him of the rumours that he was ripping us off and faking that these famous bands from New York were coming to Adelaide. He denied it all of course.) He assured me they were, and they took our tickets as we went inside. We waited around for ages, watching some local Adelaide hip-hop and later that night even one guy from The Loonies came, which is group from America. However this guy was not supposed to perform, and I think he was given to us as some kind of a replacement which was simply not good enough. This guy was quite clearly very drunk, and it was easy to tell that he was only miming along to an album playing in the background, and miming extremely badly at that.

It was really sad that he couldn't even put in enough effort to lip-sync in time with the lyrics, and it was pretty obvious that the people at American Boulevard would have given this guy some money (and free alcohol) to give us a quick show so that we couldn't complain about getting absolutely nothing for our money, which is what we did seem to get. As we left, obviously most people complained. The guy finally admits that he couldn't get Xzibit, The Likwit Crew and The Alkaholiks, but says that when, or if they do actually come—if we keep our tickets we can get in for half price. I wouldn't even trust that he would do that. Some of my friends have spoken to Consumer Affairs about this issue, but they do not seem to be able to do much about it. Some people are still in the process of filling out forms for them.

The man I have been speaking about has not given out his name to me, but he is of average height and weight, with black hair, beard and moustache. He looks strongly ethnic, either Italian or Greek and he wears many big gold chains around his neck and dresses like a homie or gangster (which are the types of clothes he sells in his store). American Boulevard is on Rundle Mall, at a downstairs location, which I do not know the number of. This man has unfortunately gotten away with this so far, probably because the audience he knew he would attract with these bands are all just young kids who cannot do much about it. I would greatly appreciate any help with this situation and would like to see that this man doesn't get away with this scheme that has put many teenagers out of pocket. Thank you for any help.

I believe that that man, whoever he is, needs to be brought to book. That was an outrageous fraud perpetrated on those young people, whether or not any of us would have gone to see that concert. I am sure that had adults been involved he would have been prosecuted and imprisoned, if not fined. All their money should be refunded.

Time expired.

PUBLIC WORKS COMMITTEE: EDUCATION CENTRE

Mr LEWIS (Hammond): I move:

That the 129th report of the committee, on the Education Centre refurbishment—final report, be noted:

The Public Works Committee has considered a proposal to refit the Education Centre building at a cost of $12.338 million. In conjunction with the refit, the proposal undertakes base building works at a cost of $3.565 million and to close the cafeteria and convert that space, plus the former convention centre and the old Premier's dining facility, into office accommodation for the Department of Education, Training and Employment at a cost of $1.3 million. The proposal will provide office accommodation for approximately 1 339 staff, utilising an area of just over 20 000 square metres.

The Education Centre is over 20 years old. Its utility has been reduced significantly by changes in education and training sectors, as well as by the plans to move the units into it from temporary accommodation. There is also a financial benefit in discontinuing the government's subsidy and maintenance of the cafeteria and unusable conference facilities in the building. During a site inspection on 8 March 2000, the committee noted that the cafeteria is not heavily used. It also observed the run-down and disused condition of the Premier's dining room and conference rooms. Members also noted that there is little space for visitors or storage, and staff work in very cramped conditions.

The working areas have occupational health and safety work hazards and are not conducive to efficient work practices. The government office accommodation committee guidelines and targets that will be achieved by the proposal include compliance with occupational health and safety standards; reduction in average space per person from 17.6 square metres to 14.9 square metres; more economical and efficient use of available space and an open and flexible environment, which will assist with the management and the rearranging of project groups and fluctuating staff numbers; a significant reduction in the number of enclosed offices; access to natural daylight for all staff; centralisation and rationalisation of support facilities; introduction of alternative work practices, such as 'hot-desking'; and improved links and communication between staff.

The committee understands that the internal building works and services do not meet the current code requirements or have become outdated and inefficient. The necessary work will be undertaken whilst the floors are being refitted in order to realise cost benefits. The alternative incurs high relocation costs and loss of time if floors need to be vacated. The committee is told that the total cost of the proposed refit compares favourably with other recent fit-out projects. Twenty thousand-odd square metres of office space will be refitted at a cost of $639 a square metre. In comparison, the cost of refitting 101 Grenfell Street was $671 per square metre and Santos House was $834 per square metre.

At the committee's request, the agency analysed the option of vacating the Education Centre and relocating into privately leased accommodation. The analysis confirms that the proposal to retain and refurbish the building is the best cost option for the government. No other government-owned or committed properties meet the department's requirements. Furthermore, it will cost more in net present value terms to do nothing than to refit. Under the stated assumptions, and a discounted rate of 9.5 per cent, there is a net benefit to government of approximately $1.743 million and to the agency of approximately $4 375 000.

Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works. I believe that the now Treasurer and former Minister of Education was long suffering in his stoic acceptance of the inadequacies of that building, judging by what we saw when we examined it. I commend him and the current minister for having taken the initiative and including it in the capital works program for the present financial year so that we can provide staff in the Education Department with the kind of accommodation not only to which they are entitled but which will ensure that they can make a far more efficient use of their time in the course of discharging their duties.

Ms THOMPSON (Reynell): As the member for Hammond said, this is a major redevelopment of the Education Centre. The site inspection demonstrated very clearly to committee members that the current layout of that centre is dysfunctional and is a barrier to efficient working groups. They are not able to be collocated so that there is much traffic up and down the stairs to conduct normal interactions with work colleagues. The offices along the windows are rigid and prevent light being available to most of the workers in the

area. The cafeteria facilities are quite large. It has been well known for some time that they have not been highly utilised.

It seems that the people who use the facilities most and who are most likely to miss them are pensioners who sometimes go there for a meal. Generally, people within the building find that they are well supplied with meal facilities in the immediate vicinity. The fact that the people will get better offices but lose their cafeteria is likely to upset a few people but the majority of workers in that building will not notice.

The project has been undertaken with a thorough exploration of the alternatives and also careful consideration of the way the layout can support the activities of any work group. The design solution is particularly interesting, with a concept of hot desks being introduced. These are designed to allow staff who have to attend the Education Centre for various meetings and conferences to log in and undertake some of their work at a distance rather than just hanging about. The gathering areas are also very innovative, with the middle of many of the floors having an area with a sink and general tea and coffee facilities. These are designed so that workers can either take their lunch there to eat quietly or so that a work group can adjourn there for a formal or informal discussion. It is a new approach to use areas for both lunch and official meeting purposes, so it is yet to be seen how well this will work. The conference facilities also at different places are designated as being available for lunch rooms. So, it will also take a fair bit of initiative on the part of all workers in the building and understanding from management to make the most of the design solutions. Hopefully they will lead to an atmosphere where collegial work can be easily undertaken.

In taking evidence, it was interesting to hear that people talked about the way some of the recent work arrangements have under-emphasised the need for people to be able to talk to each other on a regular basis and get that informal communication going for the effectiveness of the work group. It is sad that the way to overcome that has to be by re-engineering of the offices rather than just allowing it to happen. However, hopefully the re-engineering of the work space will allow people to be more effective through better work relationships and communication. In looking at this project, the matter that surprised me the most was the number of staff who will be working in the building. When it is completed, some staff are being brought in from outposts; for instance, a few staff from the pay section are being moved from Noarlunga into the Education Centre, and staff are being brought out from little outposts in various schools. However, the total number of 1 339 staff who will be working in the Education Centre was really quite amazing, given that for the past six years I have been listening to so much talk about cutting down on the bureaucracy and getting staff out into the schools.

It was not clear how many staff have been put out to the schools when so many are still in the central bureaucracy of the Education Department. I hope that issues such as the review of the Education Act will make some of the responsibilities of schools and central bureaucracy clearer, because it would be nice to think that some of those staff could be out in the schools where they are much needed. Generally, the Education Centre refurbishment program has been well handled. Some aspects of it will be difficult to manage through. Many staff will no longer have private offices and windows and, from a long career of working in offices, I know those issues can be very contentious indeed. Even though people theoretically agree that the new model is better, when it comes to losing your window and your private office, the matter is not always so easily dealt with. I hope that the staff will be understanding and accommodating as they move to new accommodation which hopefully will much better suit them, their social needs at work, as well as their work needs, even if they have to make different arrangements for privacy on some occasions. I am pleased to support the report.

Mr SCALZI (Hartley): I, too, rise to support this report. As members would be aware, the Education Centre is over 20 years old and is leased by the Department of Education, Training and Employment under a memorandum of understanding expiring on 2002, with a five-year right of renewal. The building has numerous deficiencies due to its age and the fact that there have been no significant internal upgrades or refurbishment despite great changes in the administration of education and training sectors during the life of the building. Who would have thought 20 years ago that we would be experiencing the changes in information technology we are now experiencing? Obviously, the upgrade and refurbishment are very much needed. The design solution addresses the merging of functions and rationalisation of DETE's accommodation in the building, and in particular consolidation of the administrative and curriculum support services. It aims to:

- achieve current codes and standards in relation to occupational health and safety;
- achieve government office accommodation, committee space and facility standards;
- create a flexible and effective working environment; and
- create a planning layout and facilities that will reinforce and support the new organisational structure of DETE.

In order to realise these aims and enable the consolidation of administrative units, the agency proposes to increase its tenancy in the Education Centre by approximately 1 419 square metres. Gaining this space relies upon the closure and decommissioning of the cafeteria on level 1 and the conference centre on level 2.

The committee is told that there is ongoing consultation through a planning team consisting of architects, departmental representatives, occupational health and safety and work representatives, DAIS project manager and REM representatives. Extensive consultation is also to be undertaken with staff in the development of detailed plans with the generic plan framework. Occupational health and safety standards and work representatives will continue to be part of the consultation process and union representatives will be fully briefed, and so they should. Committee members inspected the building and observed, or were told, that substandard elements of the accommodation elements include:

- inadequate or inappropriate work space allocation;
- convoluted passageways;
- overcrowding of major corridors, causing difficult access and egress;
- inappropriate furniture and desks being used for computer tasks;
- inadequate cable management;
- a serious lack of security;
- limited storage facilities;
- ineffective air-conditioning in some areas, mainly due to the number of enclosed offices (and these days we are all very much aware of the need to upgrade air-conditioning due to health standards);

- lack of appropriate meeting, conference and interview rooms;
- inadequate and inappropriately located equipment, photocopiers, work and filing areas;
- inability for sections and groups to be collocated to achieve a team approach and satisfy functional links;
- inefficient use of space and circulation space;
- inflexible layouts;
- furniture is not appropriate and predominantly loose and in a conglomeration of styles, quality and colour accumulated over many years; and
- visually depressing environment.

That is not the type of environment that an Education Centre should have. These deficiencies have also affected the general morale of the staff located in the Education Centre and do not promote corporate pride. In a letter dated 14 December 1998, Mr David McArdle, Chair, GOAC, advised:

The department's accommodation may well prove to be the model site for other government agencies.

The proposal will allow further units to be transferred from other locations such as staff from the former Sturt Street Primary School site. The committee is told that this proposal will provide a financial benefit. It will discontinue the government's subsidy and maintenance of the cafeteria and unusable conference facilities in the building.

Further, the former Convention Centre and former Premier's dining room located on level two involved potential forgone rental as office accommodation of $98 000 per annum. A recent consultant's report indicated that the cost of upgrading the former Convention Centre to an acceptable conference facility would be substantial and could not be justified from a financial usage perspective. It is also stated that most of the agencies in the precinct are able adequately to satisfy their space needs for conferences and training. The committee was told that the project has followed best practice principles for project procurement and management and has advocated the project initiation process and the construction industry development and agency standard.

The committee notes in particular the agency's evidence that the cost plan reflects the scope of the work and timing of the project and contains a reasonable contingency allowance to cover perceived project risks; the process employed regular design reviews and strategic value management study; a project manager has been appointed to be the single point of responsibility and accountability to complete the project as defined on time and within budget (that is very important); and, any risks that may potentially impact on time, quality and cost targets for the project have been identified. The management of them has been devolved through the project team, while maintaining control through the project manager. All the right processes have taken place and I look forward to the completion of the centre.

Motion carried.

PUBLIC WORKS COMMITTEE: STATE LIBRARY REDEVELOPMENT

Adjourned debate on the motion of Mr Lewis:

That the 127th report of the committee, on the State Library redevelopment—final report, be noted.

(Continued from 28 June. Page 1480.)

Mr SCALZI (Hartley): It gives me great pleasure to support this motion and report. The committee has examined the site and all the evidence and found the proposal to develop the State Library to be sound. The committee is satisfied that the proposal has been subject to the appropriate government agency and community consultation and meets the criteria for examination of projects as set out in the Parliamentary Committees Act 1991.

The committee has highlighted that the proposed project will offer significant public benefits, including the substantial improvement in the community access to the collections; an increased capacity of the State Library's collection to be linked with and support the broader state education process; an augmentation of the state's cultural tourism goals providing regional South Australians with improved online access to the collections; the provision of facilities to enable fragile material to be digitised so that it can continue to be accessible in electronic format (we are all very much aware of how important it is to preserve this important resource, especially in that format); a reduction in the cost to the public of maintaining the collections by improving the library's capacity to earn significantly more of its revenue from non-Treasury sources; an improvement in heritage ambience of the North Terrace precinct and the creation of pedestrian links to the historical precinct behind the library; and, a reduction in the risk posed to the collection by improper storage and damage from earthquake. I know that the member for Hammond is very interested in that aspect. It is important for all of us, if we are to maintain these resources as secure as they should be, because they are important, that we have plans in place for things such as earthquake, even though they may not occur as often as they do in other parts of the world.

There is also facilitation of improved access for disabled persons to the collections. It is absolutely necessary that those things are taken into account. The benefits are many. There are major changes to how the library's three buildings work together: a new top floor for the library and a 26 per cent increase in floor space. All this extra space will be devoted to services for the public. There will also be a $4 million upgrade of the library's information technology, including a rise in public workstations from the current 60 to 115, almost doubling the number of those stations. There will be new facades facing North Terrace and Kintore Avenue; and a substantial increase in the proportion of reference collections on open access, rising from about 30 per cent to over 50 per cent of the Bray collection being directly accessible to customers. There will be more exhibition space, particularly in the gracious 19th century Institute Building.

The project is progressing well and is on track to be completed mid 2003. The $40 million redevelopment is one of the biggest projects on the state government's capital works program. It follows other developments of the North Terrace cultural boulevard, including extensions of the Art Gallery and the Museum. Anyone who attended the opening of the Museum would agree about the excellent work that has been done there. I commend the government and the minister in particular for the success of the projects.

The sum of $84 million will have been spent on these institutions in the 10-year period between 1993 to 2003. The principal design consultant for the project will also be appointed in the near future and the design process will occur over the rest of this year. Construction work is due to commence in the near future, when historic Jervois Building is structurally upgraded to increase resistance to damage in the event of an earthquake. Early next year the main library building, the 1964 Bastyan Building, will be closed and the major construction project will commence.

As to public library issues, the committee has found that the project is not being funded by cutbacks in the level of community library services. The committee also found that the proposed project is in part being funded by a one-off contribution available from reserves administered by the Libraries Board and not required for intended purposes.

The committee concluded that, although the level of funding for public libraries appears to have been maintained in 2000-01, it is concerned at the complex structure of agencies and advisory committees involved. It is particularly concerned at the potential for the present framework to adversely affect proper accountability, and that the House should recommend that the Statutory Authorities Review Committee should examine the organisational structure, relationships and adequacy of the arrangements for the administration of funding for libraries in South Australia.

The arrangements to which the committee refers have evolved over time, particularly the past eight years covered by two agreements between state and local governments. The committee's conclusion is timely as it coincides with the emergence of several issues that need to be addressed, such as better definition of the benefits being obtained from the provision of the government subsidy; whether PLAIN should remain with state government or, as some have suggested, be transferred to local government; and, how state government community libraries should be treated within the present framework. The government has arranged for Arts SA to retain specialist advisers in the area of accountability governance, to examine this and other issues. The consultant will be consulting ideally and particularly with the Libraries Board, LGA and the Council of Library Administrators of South Australia. The consultant's report will form part of Arts SA's evidence before the Statutory Authorities Review Committee.

In conclusion, pursuant to section 12C of the Parliamentary Committees Act, the committee recommends the proposed public work. I commend the report and, again, I look forward to the completion of this important work in the North Terrace precinct.

Motion carried.

PUBLIC WORKS COMMITTEE: NORTHERN POWER STATION

Adjourned debate on motion of Mr Lewis:

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

(Continued from 31 May. Page 1308.)

Motion carried.

PUBLIC WORKS COMMITTEE: PORTRUSH ROAD UPGRADE

Adjourned debate on motion of Mr P. Lewis:

That the 126th report of the committee, on the Portrush Road Upgrade—Magill Road to Greenhill Road, be noted.

(Continued from 24 May. Page 1172.)

Mr SCALZI (Hartley): I continue my remarks from the previous occasion. The project offers a number of benefits, as members would be aware. The new Transport SA guidelines figures for traffic noise will be adopted for this project and noise walls will be provided for all properties where current unacceptable limits are exceeded. New drainage systems will be required to comply with the new codes of practice for stormwater pollution prevention, so that there may be water quality benefits—and we all look forward to that. The construction activities will also ensure that silt and other pollutants from the works are intercepted before discharge to the water courses. These are the sorts of things that need to be done, and if they had been done in the past surely we would not have so many problems with which to deal today in relation to water quality.

The committee was told that total emission rates from vehicles in Adelaide are expected to decrease with time due to improved fuel technology and more efficient emission control technology on an increasing proportion of vehicles. That is an area in which I am particularly interested because often too many cars on our roads are belting out smoke to the detriment of the environment and the health of others. This should lead to an improvement in air quality. Forecast road user benefits have been evaluated in monetary terms and are calculated to be $7.38 million by 2001 and $9.29 million by 2011.

The project offers economic benefits because of the improved traffic flow due to the extra capacity provided on nearby parts of the network that will be relieved by this added capacity. This will result in valuable time savings for the vehicles and their occupants, as well as reduction in fuel consumption. It is of great benefit, too, when we reduce fuel consumption. Economic benefits are also expected from improved road safety performance resulting from the upgrade. The committee understands the project will achieve recurrent maintenance savings of $18 000 per kilometre per year. It will also avoid the need to spend an estimated $250 000 in other maintenance over the next three to four years.

The project will deliver high economic benefits. Given a discount rate of 4 per cent, it will provide a net present value of $83.3 million at a benefit/cost ratio of 3.84. A discount rate of 7 per cent will return a net present value of $53.1 million and a benefit/cost ratio of 2.95. The internal rate of return is 26.4 per cent. As I mentioned earlier, these economic benefits are reinforced by significant social and non-quantifiable benefits, the most significant of which will be improved local amenity by extensive landscaping, undergrounding of overhead power lines and improved urban design elements; reduced noise pollution and vibration through low noise asphalt and improved, smooth flowing lanes—and I know the member for Norwood would welcome these benefits because it includes most of her electorate; improved facilities for cyclists—and again the member for Norwood would agree with this—pedestrians and public transport; and safer access for adjacent residents and improved roadside parking facilities.

Given the foregoing and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Ms CICCARELLO (Norwood): I would like to speak briefly about the issue of Portrush Road. It certainly has been an issue which has been of serious concern to my community for well over 20 years. We have reached the point where there seems to be some agreement among my community about the upgrade, but this position has been reached out of total frustration that the department over the past 20 years has neglected Portrush Road. It did have a mindset for some years that it was only interested in widening the road and, therefore,

was unwilling to look at any alternatives with regard to the upgrading. Some of the issues which we have been raising over the past 20 years certainly have been taken into consideration now.

However, there is still a concern that the community is not happy about this being part of national highway one because we feel it is inappropriate to have heavy road transport coming through what is essentially a residential area. Along this particular stretch of 2.7 kilometres, there are six schools which are either directly on Portrush Road or just one street back, so many thousands of students are certainly affected by the amount of traffic which comes down this road. In fact, some months ago a student from Loreto College was hit by a truck coming down Portrush Road and it was a miracle that it was not a fatality.

Even though an amount of money will be spent in the upgrading, the local community is certainly very concerned about the disruption of access to some local streets and, while the report talks about 50 per cent of users not being affected, a lot of people living within those local streets will be affected because they will not be able to have access through right-hand turns. I understand that there still has not been agreement on an underpass which has been proposed at St Josephs Memorial School on Portrush Road. Currently, a pedestrian crossing is there but it is very dangerous at the moment. A number of times, I have experienced trucks coming down Portrush Road; they are so large and they are travelling at such momentum that they cannot brake in time when the light turns green for the students. Again, there has been the possibility of a fatality there. The underpass is still a bone of contention, and I am not sure what provisions are in this report concerning commencement of the work if there has not been agreement on this section.

I commend the department and Luigi Rossi who has been in charge of the project recently. He has gone out of his way to consult with the community, so that we arrived at a much better solution than had been previously proposed. Several hundred students are either dropped off at Loreto Convent in the morning or picked up in the evening after school. I understand that there is still concern about whether there will be sufficient room for that to happen without disrupting the traffic. I do not know whether the final report addresses this issue.

The member for Hartley alluded to the issue of noise pollution, which is a critical one. I live two streets back from Portrush Road, and in the middle of the night the noise from trucks causes serious concern. The community would have preferred to have the road upgraded and the amount of heavy traffic on Portrush Road minimised, but unfortunately it seems that, in this day and age, transport requirements are taken much more seriously than the preferences of local communities.

Again, I put on the public record that the local community would have preferred the development of ring routes. Several years ago when I was the Mayor of Norwood during presentations by the Department of Transport about upgrading the road, the department admitted that, within a very short space of time following the upgrading, the road would reach its maximum capacity. What will happen when the road cannot cope with that amount of transport? Will widening it even further be considered, and what further impacts will that have on the local community? These are the concerns of my community. We are happy to see some upgrading of Portrush Road, but we do not feel that this is the optimum solution for the local community.

Mr LEWIS (Hammond): I have noted the contributions which other members have made to this debate and I understand their sensitivities, particularly those of the member for Norwood on behalf of the people whom she represents. However, I must remind the House that Portrush Road, as it stands in the grid of national highways going through South Australia at present, is the only route available for transport between Melbourne and the western districts of Victoria and the northern parts of South Australia, the Northern Territory or Western Australia by road: it is the logical route to follow.

If this cannot continue, clearly both sides of politics in this place need to make a commitment to do the things for which I have been arguing for 20 years. My suggestions are quite reasonable and sensible. I refer to building a by-pass road link (and a rail link) from Murray Bridge, north across the Murray Plains and through the Kapunda gap at some point. At present, the road is quite unsatisfactory from Palmer to Tungkillo, Mount Pleasant, Williamstown and Gawler. It is also dangerous and unsafe for heavy vehicles because of the blind curves, the short radius of those curves, the poor camber on the road and the steep exit and entry points from the culverts where it passes through the hills. An alternative route could be found along the side of a surveyed rail by-pass through that area.

Alternatively, we must seal the road from Murray Bridge to Walkers Flat to enable transport vehicles to pass on the eastern side of Murray Bridge, travel along what is called the Murray Valley Highway to Blanchetown, cross the river there, proceed to Morgan, and from Morgan go through Burra. That would make sense because the altitude above sea level going through the Burra area is less.

All in all, as much as I would like this to happen I do not see it happening at any time soon. I do not see the political will on either side of the House. This has never been a place where seats have been won or lost on this basis at any time in the past 20 years. It was a place when the Hon. Gabe Bywaters was here, one of the predecessors of the—

The DEPUTY SPEAKER: Order! The chair suggests that the member is starting to refer to matters outside those which relate to the motion before the House.

Mr Atkinson interjecting:

The DEPUTY SPEAKER: Order! I ask the member to come back to the motion.

Mr LEWIS: They relate to the proposition that Portrush Road is the designated national highway route for traffic travelling interstate. During the debate, members have expressed concerns about Portrush Road being part of that national highway network, especially when it results in the need for heavy road freight traffic to traverse the Adelaide metropolitan area where it is moving from somewhere within this state or elsewhere through to the north or west of the continent.

In deference to your ruling on the matter, sir, I turn to the other matter of contention and concern. I was going to pay tribute to you and one of your predecessors for the work which you did to secure—

Members interjecting:

Mr LEWIS: An understanding. The committee understands that this project will achieve a recurrent maintenance saving of $18 000 a kilometre per year and that upgrading Portrush Road will avoid the need to spend an estimated $250 000 on other maintenance during the next three to four years. I hope that the by-pass road around the metropolitan area is provided rapidly and that, nonetheless, Portrush Road

in its new form will be the road that it deserves to be for the locals.

Time expired.

Motion carried.

PUBLIC WORKS COMMITTEE: PELICAN POINT POWER STATION

Adjourned debate on motion of Mr Lewis:

That the 122nd report of the committee, on the Pelican Point Power Station transmission connection corridor—status report, be noted.

(Continued from 3 May. Page 1035.)

Ms THOMPSON (Reynell): It is fitting that we can finally review this report in a week when we have seen evidence of problems in this government's handling of matters relating to electricity. Those of us who sat through 30 witnesses making 38 appearances relating to the Pelican Point transmission corridor know only too well that the advice received by this government from consultants is not always worth the money that is paid.

We were subjected to witnesses who contradicted each other. One highly paid consultant told us that he never kept notes of meetings that he attended and, therefore, was unable to tell us about decisions or inquiries that were or were not made on any particular day. We were subjected to a consultant who told us that she did not think she should be there and that she spoke on behalf of the Treasurer on all matters relating to the Pelican Point Power Station.

All in all, our task was difficult. It was additionally difficult because we were under pressure to report in a very short time so that the commencement of the transmission corridor would meet the time lines laid down by National Power and so that the transmission corridor could bring power from the new Pelican Point Power Station into the grid.

Mr Lewis: Then they changed the route!

Ms THOMPSON: As the member for Hammond says, after all the pressure that was put on our inquiring into the appropriateness of the route and after we had reported, they then changed the route. However, they still did not manage to get it right, in my opinion.

The need for the Pelican Point transmission corridor was brought about by the decision of the state government to construct a new power station at Pelican Point. I do not think anyone in the committee questions the need for a new power station. We want the people of South Australia, whether they be businesses or people in their homes, to have a reliable supply of power. We were told that on 22 June 1998 cabinet decided that private sector investment in new power generation should be encouraged. This followed a decision to abandon the prospect of bringing extra, cheap power from New South Wales via the Riverlink transmission corridor.

We were told in evidence that a site selection process then commenced. However, in closer questioning of witnesses, we were finally told (and this was confirmed to the committee in a letter dated 3 March this year) that in fact the site selection process had really already occurred. I will read for the benefit of the House the letter received from Trevor Brown and Associates on 3 March this year. Headed 'ElectraNet SA transmission corridor' and addressed to the Chair of the Public Works Committee, it states:

This response is in relation to the information requested to be provided to the Public Works Committee following the hearing on 19 May 1999 in respect of the site selection process for the Pelican Point power station. The initial involvement of Hyder Consulting (Australia) Pty Ltd—

I point out for the record that at that point Mr Brown was working for Hyder—

in relation to the proposed power station location occurred on 17 June 1998 at a meeting to identify potential sites for the project. The meeting involved the review of topographic maps and identification of possible sites along the gas pipeline and transmission line corridors. The selected potential locations were inspected on 19 and 21 June and the selection of Pelican Point as the preferred area occurred on 23-24 June 1998 following the site inspections and consideration of the site selection criteria developed for the project. The report on the site selection was prepared by Hyder during July 1998 and included as appendix A to the environmental impact assessment report submitted on 30 October 1998.

Yours faithfully, Trevor Brown, Director, Environment Division.

Sir, you might wonder why I am so concerned about this letter and the fact that the site selection process was made so quickly, with cabinet deciding only on 22 June that there should be a process involving the private sector in electricity generation.

The reason for our concern is that by locating the power station at Pelican Point—a decision made in five days at the most—the people of South Australia have to pay $5.7 million extra in the costs of transmission corridors, and the route of the corridor has put at jeopardy the operations of the Australian Submarine Corporation, which we would all agree is an important industrial asset in this state. It is facing difficulties, and the last thing it needs is a decision of the cabinet which makes its difficulties worse.

In evidence and in written correspondence from the Australian Submarine Corporation, we were told again and again that it had tried repeatedly to convince the Electricity Reform and Sales Unit and its highly paid consultants of the problems that this location would cause for its business, but to no avail. The evidence that was given to us by the project proponents was that the Australian Submarine Corporation was happy; the evidence given to us by various persons from the corporation was that it was not.

Another problem with the hasty decision on the location of the plant is the impact that it has on the environment. Pelican Point is at a very vulnerable point in terms of water flows and the potential for destruction of really important seagrass beds. We were told that that location was appropriate because the new plant needed to have direct cooling methodologies; that is, the heat generated when the electricity is produced is pumped out to sea. The modern method of dispersing that heat is with cooling towers. The other power station that has been built recently in South Australia by Canadian United and Boral Energy—namely, the cube station located by the Australian Submarine Corporation—uses cooling towers.

A quick review of the literature from overseas showed that cooling towers are the way to go, being environmentally responsible. We were told in evidence that the development of cooling tower technology is now such that it is no dearer than the direct cool method. One of the reasons given for the choice of Pelican Point in this quick four to five day period was that it needed to be direct cool technology because that was cheaper. Our explorations over some months showed that this is simply not true, but that it certainly is true that the direct cool method puts at risk the already environmentally damaged coastline of South Australia in Gulf St Vincent.

These are just two of the matters that concerned us. Anyone who takes the time and effort to read the excellent

report prepared by the staff under our direction and guidance will see that are many examples where the evidence simply does not add up. I take a brief opportunity to commend the staff, Keith Barrie and Lyn Anderson, who put this report together, particularly Keith Barrie, who had not been the research officer at the time of taking evidence. This presented a very difficult task for him, but a very beneficial one for the committee and the people of South Australia, because Mr Barrie had to review the evidence in a very objective manner. He had to go through the *Hansard* and the submissions line by line and come up with objective data.

Mr LEWIS secured the adjournment of the debate.

Mr HAMILTON-SMITH: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

LIQUOR LICENSING (MISCELLANEOUS) 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 makes miscellaneous amendments to the *Liquor Licensing Act 1997*. Most are minor amendments to improve enforcement or to overcome practical difficulties in the operation of the Act. There is also a substantive amendment in the form of a new type of liquor licence.

The 'direct sales' licence has been devised in response to the growth of electronic commerce. It will permit the sale of packaged liquor to a purchaser who does not attend the seller's premises but merely places an order, for example over the internet, for the delivery of liquor to a nominated address. Members may be aware that a number of websites already offer liquor sales facilities of this type. There is currently no South Australian licence which would permit such sales, other than as ancillary to conventional sales under an existing form of licence. This means that, at present, one cannot be licensed in South Australia to run a liquor sales business which trades entirely by means of the internet.

The new 'direct sales' licence will permit the licensee to arrange the delivery of packaged liquor to the home or other premises of a customer who orders the liquor by telephone, mail, facsimile transmission, internet, e-mail or like communication. This is the only type of sale permitted by the licence. Liquor may not be sold, displayed or served to customers in person.

As with other licences, the licensee must apply to the licensing authority, nominating the premises to be licensed, and must satisfy the authority that he or she is a 'fit and proper person' to hold a licence. The application must be advertised and there is an opportunity for objections on any of the grounds presently available under the Act. However, because the licence does not serve any particular locality, the 'need' criterion is not applicable. (Indeed, it may be that a significant proportion of sales under the licence will be sales to interstate or overseas purchasers.) While the order may be placed at any time of day, the despatch and delivery of the liquor to any address within South Australia can only take place during the hours when it could be sold at a liquor store. Hence, the new licence cannot be used as a way around the existing restrictions on trading hours. It will, however, be possible to despatch liquor interstate or overseas at any time.

To ensure that this licence is not used to sell liquor to minors, the Bill adds a new offence of supplying liquor to a minor otherwise than on licensed premises. In addition, it is expected that the licensing authority will attach conditions to a direct sales licence for this purpose. Also, of course, these transactions will usually require the purchaser to give credit card details. Further, because of the delivery requirement, some time will usually elapse between the placing of the order and the arrival of the liquor at the address, making this a less attractive form of purchase, perhaps, to minors. It is not considered that this proposed new licence will pose any additional risk to minors.

Holders of current hotel, producer's, or wholesale or retail liquor merchant's licences will also be permitted to transact business by direct sales, as an automatic condition of these licences. This will also be possible for licensed clubs, if they can satisfy the authority that their members cannot, without great inconvenience, obtain supplies of packaged liquor. However, again, despatch of liquor to any address within South Australia is to be limited to the times when the trader can presently supply liquor, so the new provision will not relax the applicable trading hours restrictions.

This new licence will mean that persons wishing to set up as liquor merchants using e-commerce only, without keeping a shop or hotel to which the public has recourse, may do so.

In addition, the Bill makes a number of smaller, technical changes to the Act to improve its practical operation and to ensure that its provisions are not evaded.

The Bill abolishes the concept of the 'manager' of licensed premises and instead uses only the concepts 'licensee' or 'responsible person'. This is because a 'manager' is really a sub-category of responsible person, and there is no need to distinguish between them. The same obligations as to proper supervision of the premises will apply to all responsible persons. This is a simplification of the current provisions, which will be welcomed by the hotel industry in particular, but which in no way relaxes the obligation to maintain licensed premises under proper supervision.

The Bill clarifies the obligations in respect of entertainment venue licences and restaurant licences. It is not intended that restaurants be able to use their restaurant licences to trade, in effect, as entertainment venues. The Bill makes clear that a restaurant licence requires the business to be conducted so that at all times, the main service provided at the premises is the supply of meals to the public. Limited exceptions may be made to this rule in the discretion of the licensing authority by licence conditions. In the case of the entertainment venue licence, it is also made clear that the licence conditions can provide for the service of liquor for consumption by persons seated at a table or attending a function at which food is provided.

Further, to overcome a technical argument, it is made clear that a retail liquor merchant's licence authorises sales only on the licensed premises and not elsewhere. Similarly, in the case of a club which is permitted to sell liquor to members for consumption off the licensed premises, it is made clear that the sale (unless it is a direct sale) has to be on the licensed premises.

In the case of wholesale liquor licences, it is made clear that the limitation of retail sales to no more than 10% of turnover does not limit export sales. This overcomes a technical argument that such sales, if they are not sales to liquor merchants, are limited in scope by this provision. The object of the provision was always to ensure that the wholesale licence could not be used to conduct a retail liquor merchant's business, for which the appropriate licence must be obtained, and not to restrict export sales.

To assist in law enforcement, it is made clear that in the case of a special circumstances licence, the venue at which the liquor is to be supplied (no matter where it is) counts as 'licensed premises' for the duration of the function. This covers the situation where, for example, the premises of a caterer are licensed, but the catered function at which liquor is supplied takes place at other premises. This will enable police and authorised persons to intervene under this Act, or police to intervene under the *Summary Offences Act*, should this become necessary, at the function venue. The object is to enable effective control of disorderly or offensive behaviour on the premises.

The Bill also makes clear that if any person breaches a licence condition, knowing that this could render the licensee liable to a penalty, the person is also guilty of an offence.

Another measure designed to help control disorderly behaviour on licensed premises is an expansion of the licensee's power to bar a customer whose behaviour is unacceptable. At the moment, a licensee may bar a person for up to three months, for behaving in an offensive or disorderly manner on licensed premises, or on other reasonable grounds. It will now be possible for a licensee to bar a customer for longer than 3 months, if the person is a repeat offender. If the person has been barred once before, the licensee will now be able to bar the person for up to 6 months, and if the person has been barred two or more times, he or she may be barred indefinitely, or for any period specified by the licensee. However, if the bar is for more than 6 months, or is indefinite, to be enforceable it must be promptly reported to the Commissioner. The barred person has a

right of review. In reviewing the bar, the Commissioner can, in addition to the existing general powers to confirm, vary or revoke the order, also vary the bar so that it is reviewable on the completion of a behaviour management course or course of medical treatment, or like action to address the problem. In addition to the present grounds for barring, the Bill permits a licensee to bar a person to protect that person's welfare, or the welfare of someone who resides with them.

In relation to disciplinary matters, the Bill changes somewhat the present provisions for the Commissioner to obtain an undertaking from a licensee as an alternative to proceeding disciplinary action. It provides, as alternatives to such an undertaking, alteration of the conditions of a licence, or suspension or revocation of the licence, with the consent of the licensee. This is to address more fully the situation where the licensee does not dispute the alleged breach, and can agree with the Commissioner on an appropriate penalty. In such cases, there is no need for the matter to proceed to a Court hearing.

In addition to the above, in response to some community concern, the Bill also provides for the licensing authority to take into account, when deciding whether to grant a licence, and in fixing the conditions to be imposed on a licence, the effect of the proposed licensed premises on the safety and welfare of children attending school in the vicinity. This will address concerns about the protection of children attending school or kindergarten in close proximity to licensed premises, be they hotels, clubs, entertainment venues or other premises. The authority is not bound to refuse a licence because of proximity to a school, but must consider the children's welfare and may refuse the licence, or attach any conditions necessary to protect the children.

Finally, the Bill deals with the current difficulty posed by the provision, in s.59 and s.62, for the licensing authority to issue a 'certificate of approval' for premises which have not yet been built. The licensing authority requires full information about the proposed premises before deciding whether a certificate of approval, which paves the way for a liquor licence, ought to be granted, and until recently it had been the practice of the authority to require this. However, it has been held by the Supreme Court that the Act does not require the applicant to have obtained development approval before applying for a certificate.

This result is undesirable. It is intended that applicants obtain development approval before obtaining approval for a liquor licence, because any conditions which might be attached to development approval could be relevant in determining whether a liquor licence should be granted. For this reason, the Bill amends sections 59 and 62 of the Act to make clear that, before a certificate of approval can be granted, the authority must be satisfied as to the matters as to which it is required to be satisfied in granting a licence, or in approving a removal of licence. These matters, set out in sections 57 and 60, include a requirement for any approval required under the law relating to planning.

I commend the bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 4—Interpretation

The clause inserts two new definitions required for the purposes of amendments made by later clauses.

'Direct sales transaction' is defined as a transaction for the sale of liquor in which—

- liquor is ordered by the purchaser by mail, telephone, facsimile transmission or internet or other electronic communication; and
- the liquor is delivered to the purchaser, or a person nominated by the purchaser, at the residence or place of business of the purchaser, or some place other than premises at which the liquor has been stored prior to delivery, nominated by the purchaser.

The term is used for the purposes of the proposed new direct sales licence (*see clauses 5 and 13*).

'Responsible person' for licensed premises is to mean a person who, in accordance with section 97, is responsible for supervising and managing the business conducted under the licence. The term is to encompass a licensee (that is, a natural person licensee) or a director of a corporate licensee or another person approved as a responsible person for the business conducted under the licence. Each such person must be a fit and proper person to supervise or manage, or be involved in the supervision or management of, the business and, for that purpose, must have knowledge, experience and skills that the licensing authority considers appropriate or undertake training specified by the licensing authority (*see* sections 55, 56, 71 and 97 of the principal Act). The concept of a 'responsible person' removes the need for approved managers in the current Act and a number of consequential amendments are required to reflect this change.

Clause 4: Amendment of s. 5—Lodgers

This amendment is consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 5: Amendment of s. 31—Authorised trading in liquor

Section 31 lists the different classes of licences under the Act. The clause adds direct sales licences to the list.

Clause 6: Amendment of s. 32—Hotel licence

Section 32 defines the liquor trading rights conferred by a hotel licence. The clause adds to these rights the right to sell liquor at any time through direct sales transactions (provided that if the liquor is to be delivered to an address in this State, the liquor may only be despatched and delivered during the trading hours otherwise allowed by the hotel licence for sale of liquor for consumption off the licensed premises).

Clause 7: Amendment of s. 34—Restaurant licence

Under section 34 it is currently a condition of a restaurant licence that the business conducted under the licence must consist primarily and predominantly of the regular supply of meals to the public. This condition is tightened so that it will in future be necessary that the business be so conducted under the licence that the supply of meals is at all times the primary and predominant service provided to the public at the licensed premises. Exceptions to this will be able to be allowed by the licensing authority by conditions of licences.

Clause 8: Amendment of s. 35—Entertainment venue licence

This clause adds to the current trading rights conferred by an entertainment venue licence the right, if the conditions of the licence so provide, to sell liquor on any day except Good Friday and Christmas Day for consumption on the licensed premises by persons seated at a table or attending a function at which food is provided (provided that extended trading is not authorised unless an extended trading authorisation is in force). This proposed further trading right corresponds to an existing right that may be conferred by a restaurant licence.

Clause 9: Amendment of s. 36—Club licence

The clause adds trading by direct sales transactions to the trading rights conferred by a club licence. Liquor may only be despatched and delivered under such transactions to addresses in this State between 8.00 a.m. and 9.00 p.m. and not on Good Friday or Christmas Day.

Clause 10: Amendment of s. 37—Retail liquor merchant's licence

This clause makes an amendment relating to retail liquor merchant's licences that corresponds to the amendment made by clause 9 relating to club licences.

Clause 11: Amendment of s. 38—Wholesale liquor merchant's licence

This clause also makes a corresponding amendment relating to direct sales transactions under a wholesale liquor merchant's licence. The clause also amends the licence condition contained in section 38(2) requiring that at least 90 per cent of the licensee's turnover from liquor sales in each financial year (excluding sales to the licensee's employees) must be derived from sales to liquor merchants. The clause amends this provision so that sales for the delivery of liquor outside Australia are excluded from calculation of the percentage.

Clause 12: Amendment of s. 39—Producer's licence

The clause adjusts the wording of section 39(1)*(a)* so that it is clear that sales of the licensee's product must occur on the licensee's premises.

At present, under section 39(1)*(b)*, the holder of a producer's licence may, if the conditions of the licence so provide, sell the licensee's product at any time for consumption in a designated dining area with or ancillary to a meal. This provision is widened so that it will extend to sales of the licensee's product for consumption in a specified area subject to restrictions specified by the licensing authority.

The clause further widens the trading rights conferred by a producer's licence so that the licensee's product may be sold at any time through direct sales transactions.

Clause 13: Insertion of s. 39A—Direct sales licence

Proposed new section 39A defines the trading rights conferred by the proposed new direct sales licences. Such a licence will authorise the licensee to sell liquor at any time through direct sales transactions provided that, if the liquor is to be delivered to an address in this State, the liquor is despatched and delivered only between 8.00 a.m. and 9.00 p.m. and not on Good Friday or Christmas Day. It will be a condition of a direct sales licence that the licensee does not, as part

of, or in connection with, the business authorised by the licence, invite or admit prospective purchasers of liquor to any premises at which liquor is displayed or stored for sale by the licensee.

Clause 14: Amendment of s. 40—Special circumstances licence

This clause amends section 40 so that the licensed premises of the holder of a special circumstances licence will be taken to include premises at which a function is being held at which the licensee is supplying liquor. Various enforcement provisions will, as a result, operate in relation to such premises.

Clause 15: Amendment of s. 42—Mandatory conditions

Under section 42(2)*(b)* it is presently a condition of a liquor licence that liquor that is not delivered to a purchaser personally at the licensed premises must be despatched to the purchaser from the licensed premises. This condition is amended so that it does not apply in relation to a direct sales licence.

Clause 16: Amendment of s. 43—Power of licensing authority to impose conditions

Section 43(1) authorises the imposition of licence conditions and sets out examples of various such conditions. The second example in the list refers to conditions that (amongst other things) minimise offence, annoyance, disturbance or inconvenience that might be caused by activities on licensed premises to persons who reside, work or worship in the vicinity of the licensed premises. This example is amended so that it also refers to minimising prejudice to the safety or welfare of children attending kindergarten, primary school or secondary school in the vicinity of licensed premises.

Clause 17: Amendment of s. 45—Compliance with licence conditions

Under section 45*(b)*, if a condition relating to the consumption of liquor is not complied with, the licensee and a person who consumed liquor knowing that to be contrary to the condition are each guilty of an offence. This paragraph is replaced with a more general provision to the effect that if there is any breach of a licence condition involving conduct of a person other than the licensee that the other person knows might render the licensee liable to a penalty, that other person is (in addition to the licensee) guilty of an offence.

Clause 18: Amendment of s. 57—Requirements for premises

Section 57(1) of the principal Act makes it a precondition to the grant of a licence that the applicant satisfy the licensing authority as to the adequacy of the standard of the premises or proposed premises and that the operation of the licence would be unlikely to result in undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises. A further precondition is added by the clause that the licensing authority be satisfied that the operation of the licence would be unlikely to prejudice the safety or welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises. The clause also adds a provision that would allow the licensing authority, in the case of an application for a direct sales licence or limited licence, to dispense with a requirement of the section or the requirement to submit plans.

Clause 19: Amendment of s. 59—Certificate of approval for proposed premises

This clause makes a drafting amendment designed to clarify the intention of the current section 59(1) that, before a certificate of approval may be issued in respect of the plans for proposed premises for which a licence is sought, the licensing authority must be satisfied as to all the preconditions for the grant of a licence in respect of the premises.

Clause 20: Amendment of s. 60—Premises to which licence is to be removed

Section 60 sets out preconditions for the grant of an application for the removal of a licence to different premises that correspond to the preconditions for the grant of a licence set out in section 57. The clause makes amendments to section 60 that correspond to those made by clause 18 in relation to the grant of a licence.

Clause 21: Amendment of s. 61—Removal of hotel licence or retail liquor merchant's licence

This clause corrects an error in the wording of section 61(1) and is of a drafting nature only.

Clause 22: Amendment of s. 62—Certificate for proposed premises

This clause also makes an amendment relating to the process for removal of a licence that corresponds to the amendment made by an earlier clause (clause 19) in relation to the grant of a licence.

Clause 23: Amendment of s. 71—Approval of management and control

This clause is consequential on the adoption of the concept of 'responsible persons' for licensed premises and the amendments made by clause 25 to section 97 of the principal Act.

Clause 24: Amendment of s. 77—General right of objection

This clause adds to the permitted grounds for objection to an application that the grant of the application would be likely to result in prejudice to the safety or welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises or proposed premises to which the application relates.

Clause 25: Amendment of s. 97—Supervision and management of licensee's business

This clause amends section 97—

- to replace the current scheme for approved managers of licensed premises with the wider concept of 'responsible persons' for licensed premises who may be a licensee (if a natural person), a director of a corporate licensee or some other person approved by the licensing authority;
- to make it clear that a licensee or director must, in order to be a 'responsible person' personally supervising and managing the business at licensed premises, be a fit and proper person with appropriate knowledge, experience and skills or undergoing training specified by the licensing authority.

Clause 26: Amendment of s. 103—Restriction on consumption of liquor in, and taking liquor from, licensed premises

This clause is consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 27: Amendment of s. 106—Complaint about noise, etc., emanating from licensed premises

Under section 106, the Commissioner may make an interim order before or during conciliation proceedings on a complaint about noise or behaviour problems. The clause adds a provision making it clear that the interim order continues in force until a final order is made by the Commissioner or the Court on the complaint or until the earlier revocation of the order by the Commissioner or the Court.

Clause 28: Amendment of s. 107—Minors not to be employed to serve liquor in licensed premises

Clause 29: Amendment of s. 108—Liquor not to be sold or supplied to intoxicated persons

These clauses each make amendments consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 30: Amendment of s. 110—Sale of liquor to minors

Section 110(1) makes it an offence if liquor is sold or supplied to a minor on licensed premises. The clause amends this provision to make it clear that the sale or supply must be by or on behalf of the licensee. It should be noted in this regard that section 114(2) is a more general provision relating to the supply of liquor to minors.

The clause adds a further provision, designed for the new direct sales licences, making it an offence if a licensee sells or supplies liquor to a minor otherwise than on licensed premises.

Finally, the clause makes amendments consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 31: Amendment of s. 111—Areas of licensed premises may be declared out of bounds to minors

Clause 32: Amendment of s. 114—Offences by minors

Clause 33: Amendment of s. 116—Power to require minors to leave licensed premises

These clauses each make amendments consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 32 also makes a drafting correction in the recasted section 114(3).

Clause 34: Amendment of s. 119—Cause for disciplinary action

This clause is consequential on the proposed new section 119A (to be inserted by clause 35).

Clause 35: Insertion of s.119A—Commissioner's power to deal with disciplinary matter by consent

Proposed new section 119A would empower the Commissioner to take certain action against a person as an alternative to disciplinary action if the Commissioner is of the opinion that proper grounds exist for disciplinary action against the person and the person consents to the alternative action. The action may consist of obtaining an undertaking directed against continuation or repetition of the relevant conduct, adding or altering licence conditions or suspending or revoking a licence or approval.

Clause 36: Amendment of s. 124—Power to refuse entry or remove persons guilty of offensive behaviour

This clause makes an amendment consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 37: Amendment of s. 125—Power to bar

This clause makes amendments consequential on the adoption of the concept 'responsible persons' for licensed premises.

Section 125 presently empowers the barring of disorderly persons from licensed premises for a period not exceeding 3 months. The clause substitutes a graduated scale:

- a maximum of 3 months for the first barring order
- a maximum of 6 months for the second barring order from the same premises
- an indefinite period or any specified period for the third or subsequent barring order from the same premises.

Under the clause, it will be a further ground for a barring order if the licensee or a responsible person for the licensed premises is satisfied that the welfare of the person, or of a person residing with the person, is seriously at risk as a result of the consumption of alcohol by the person. A barring order on this new ground may be for an indefinite period or any specified period.

A barring order for an indefinite period or a specified period exceeding 6 months will not be effective unless details of the grounds for the order are provided to the Commissioner within 7 days.

Clause 38: Amendment of s. 127—Power to remove person who is barred

This clause is consequential on the adoption of the concept of 'responsible persons' for licensed premises.

Clause 39: Amendment of s. 128—Commissioner may review order

Section 128 provides for the Commissioner to review a barring order on application by the person to whom the order applies.

The clause adds a provision requiring that the licensee of the premises concerned be given reasonable notice of the hearing of such an application and be allowed to appear at the hearing personally or by a representative.

The clause would also allow the Commissioner, on review of a barring order for an indefinite period or a period exceeding 6 months, to vary the order so that it continues in force until further order by the Commissioner, in the making of which the Commissioner will have regard to whether the person has undertaken a behaviour management course, obtained medical assistance or taken other action to address the problem. This power is in addition to the Commissioner's general power, on a review, to confirm, vary or revoke the barring order.

Clause 40: Amendment of s. 132—Penalties

Clause 41: Amendment of s. 135—Evidentiary provision

Clause 42: Amendment of s. 138—Regulations

These clauses each make amendments consequential on the adoption of the concept of 'responsible persons' for licensed premises. Clause 41, in addition, makes a drafting correction so that a reference to disciplinary proceedings against a licensee is widened to disciplinary proceedings under Part 8.

Ms HURLEY secured the adjournment of the debate.

CREMATION 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, which arises out of the competition review of the Cremation Act in accordance with national competition policy, repeals the *Cremation Act 1891* and replaces it with a new Act. The essential functions of the Act—to prescribe the circumstances in which cremation is lawful, and the administrative procedures for permission to cremate human remains—are unchanged. However, the provisions dealing with the establishment of crematoria are simplified and modernised, and there are some other changes.

The primary change proposed by this Bill is a simplification of the process of approval for a new crematorium. Under the present law, a number of approvals are required. The development must be approved under the Development Act. This also entails approval by the Environment Protection Authority under the Environment Protection Act. There must also be approval by the South Australian Health Commission. Lastly, the crematorium must be licensed by the Governor. The Governor is required to be satisfied as to certain matters set out in s.3 of the present Act, including satisfaction that the proposal to establish a crematorium has been advertised as required and that there have been no objections by persons who own or occupy land within a 100 yard radius.

The competition review determined that the requirement for the Governor's approval is now unnecessary, having been overtaken by the development approval process under the *Development Act 1993*, which already requires the developer of a crematorium to advertise the proposal and provides for objections to be heard. There is no need for two such processes. Further, the current right of veto by owners and occupiers within 100 yards is inconsistent with the Development Act process, which does not give objectors a right of veto, but only a right to have their objections considered on their merits.

The requirement for approval by the Health Commission, although still necessary, need not be provided by this Act. Instead, in keeping with the policy of making development approval as far as possible a 'one-stop shop' and minimising the need for separate processes, it is proposed to make the Health Commission a referral body for the purposes of s.37 of the *Development Act*. This requires an amendment to the Development Regulations, which is proposed to take effect at the time of commencement of this legislation. This will create a requirement to obtain Health Commission approval in the course of the development application. Once development approval has been secured, the developer has no need to apply to any other authority.

The Bill, therefore, simply makes it an offence to cremate human remains other than in a lawfully established crematorium. At present, the requirement is that it be a 'licensed' crematorium. Also, a penalty of $10 000 or 2 years imprisonment is attached to such an offence. At present, while the Act declares such conduct unlawful, it does not prescribe a penalty, so that prosecution is not possible.

The Bill also revises the penalties for offences. For example, the penalty for the offence committed by a medical practitioner who gives a certificate in a case where the death is required to be notified to the Coroner or a police officer under the Coroners Act, is increased from $1 000 to $5 000, and as an alternative, a term of imprisonment up to one year is provided. The penalty for giving a certificate in a case in which the doctor has a pecuniary interest is increased from three years imprisonment to four years.

In the case where a cremation has been forbidden by order of the Coroner, the Attorney-General or a magistrate, the penalty for carrying out that cremation is increased from $1 000 to $15 000 and from three to four years imprisonment. Further, the maximum penalty which the Governor may prescribe for an offence against the regulations is increased from $200 to $2 500.

Also, in accordance with general practice, a definition of 'spouse' is added, which includes a putative spouse, so as to make it clear that such a person has a right to object to the cremation of the deceased's body in the same way as a lawful spouse may do, unless the deceased left an attested direction that his or her body be cremated.

The Bill thus simplifies and modernises the present law, while retaining the necessary degree of regulation of the cremation process. I commend the bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

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

Clause 3: Repeal of Cremation Act 1891

This clause repeals the *Cremation Act 1891*.

Clause 4: Interpretation

This clause defines words and expressions used in the measure.

Clause 5: Offence to cremate human remains other than in lawfully established crematorium

This clause makes it an offence to cremate human remains other than in a lawfully established crematorium and fixes a maximum penalty of $10 000 or imprisonment for 2 years.

Clause 6: Issue of cremation permit (s.31B of the Coroners Act 1975)

This clause empowers the Registrar of Births, Deaths and Marriages to issue cremation permits. (Section 31B of the *Coroners Act 1975*) prohibits the disposal of human remains without a cremation permit.)

Clause 7: Relatives, etc. may object to cremation in cases where cremation not directed by deceased person

This clause makes it an offence for a person to cremate human remains knowing that the personal representative or a spouse, parent or child of the deceased person objects to the cremation unless the

deceased person directed by will or other attested instrument that his or her body be cremated. The clause fixes a maximum penalty of $5 000.

Clause 8: Attorney-General, coroner, etc. may prohibit cremation
This clause empowers the Attorney-General, a coroner or a magistrate to make an order prohibiting the cremation of the remains of a deceased person and makes it an offence for a person in charge of a crematorium to cause, suffer or permit the cremation of the remains in contravention of such an order. The clause fixes a maximum penalty of imprisonment for 4 years.

Clause 9: Regulations
This clause empowers the Governor to make regulations.

Mr ATKINSON secured the adjournment of the debate.

SOUTHERN STATE SUPERANNUATION (CONTRIBUTIONS) AMENDMENT BILL

Second reading.

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

That this bill be now read a second time.

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

Leave granted.

This Bill seeks to make a number of important amendments to the *Southern State Superannuation Act 1994*, which establishes and continues the Triple S Scheme for government employees. The Triple S Scheme provides benefits based on the accumulation of contributions paid into the scheme.

The amendments fall into two main categories. The first category of amendments deal with two administrative procedures which are being changed under the Bill. The second category of amendments propose a series of amendments of a technical nature to accommodate contributions elected to be directed to the scheme by an employee in terms of a salary sacrifice arrangement.

The current provisions of the Act provide that voluntary member contributions be based on the member's salary as at 31 March each year. Once determined, the contribution is essentially fixed for 12 months. This results in a very concentrated effort being required by the South Australian Superannuation Board in having to collect salary data from over 150 employers, calculate the new contribution, and advise the employers of the rate to apply from the following July. There are presently about 11 500 contributory members in the scheme, and the number is increasing at a steady rate. This is both a time consuming and inefficient annual exercise. With the advent of more powerful and efficient payroll systems, the proposed amendment will enable the member's contribution to be directly linked to the payroll system and adjusted immediately there is a variation in salary. The result will be that member contributions will be based on actual earnings in a pay period. This proposed method is consistent with that which applies in respect of the calculation of employer contributions under the Triple S Scheme.

For those employers that are unable to accommodate the revised calculation of member contributions, the amendment will enable the Superannuation Board to allow the current contribution adjustment arrangements to remain in place until revised payroll systems are implemented.

The second of the administrative procedures which are being changed in the Bill, deals with the setting of administrative fees and charges under the scheme. Section 27 (7) of the Act currently requires fees and charges to be determined by the Government and prescribed by regulation. The Government believes that it is more appropriate for the fees and charges to be determined by the Superannuation Board which is charged with the responsibility for administering the scheme in accordance with the Act. Accordingly, the Bill proposes an amendment to make the Board responsible for setting the fees and charges.

The second category of changes deal with salary sacrificing. With the advent of salary packaging across the public service, the Government believes that public sector employees should have the opportunity to salary sacrifice additional contributions to their superannuation scheme. Provisions in this Bill will enable members of the Triple S Scheme to elect to make additional contributions to the scheme from pre tax salary, as an alternative to receiving cash remuneration. However, the basic underlying structure of the scheme will not change and therefore if members wish to obtain the higher employer contribution of 9% of salary instead of the mandatory Superannuation Guarantee which is currently 7% of salary, members will be required to contribute at least 4.5% from cash remuneration.

The current provisions of the Act prevent active contributors of the State Pension and 1988 Lump Sum schemes from being members of the Triple S Scheme. However, this Bill proposes to allow these members to direct salary sacrifice contributions into the Triple S Scheme. These contributions which the employee could have taken as cash salary will in terms of the Income Tax Assessment Act (Cth) become recognised as employer contributions. Salary sacrificed contributions paid into Triple S by active members of the Pension or 1988 Lump Sum schemes will not entitle the member to any other benefit in the scheme other than a return of the accumulated salary sacrifice contributions together with interest earnings on retirement, or earlier death or invalidity. On the basis that the schemes under the Superannuation Act 1988 provide essentially defined benefits, it is more appropriate that the voluntary additional contributions be directed into the Triple S Scheme.

The additional salary sacrifice contribution provisions will apply to any employee who is able to take part in an approved salary sacrifice arrangement. These arrangements for salary sacrificed contributions have no impact on Government costs of the scheme.

The Government also proposes to amend the provisions relating to the entitlement to a temporary disability pension benefit, as a consequence of the new salary sacrifice arrangements. The general principal under the Act is that this benefit is only available to members who contribute to the scheme from cash salary. The amendment will extend the coverage for a temporary disability benefit to include those members making contributions under a salary sacrifice arrangement, on the basis that such contributions could have been made by the member from cash salary. This expansion of coverage will ensure that those members who are directing salary sacrifice contributions into the scheme are treated in a fair and equitable manner with the members making normal cash salary contributions to the scheme. Active members of the Pension and 1988 Lump Sum schemes who are having salary sacrificed contributions directed into the scheme will not be entitled to temporary disability benefit cover.

The Public Service Association, Australian Education Union (SA Branch), South Australian Government Superannuation Federation, and the South Australian Superannuation Board have been fully consulted in relation to these amendments, and have indicated their support for the proposed amendments.

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. 3—Interpretation
Clause 3 introduces the definitions of 'monetary salary' and 'non-monetary salary'. These definitions are required in relation to salary sacrificing. Subsection (3) of section 3 of the principal Act is replaced with a new subsection that includes negotiated contracts of employment as a vehicle for non-monetary remuneration (from salary sacrificing) that is included in the definition of 'salary' for the purposes of the Act.

Clause 4: Amendment of s. 9—The Southern State Superannuation (Employers) Fund

Clause 5: Amendment of s. 14—Membership
These clauses make consequential amendments to section 9 and 14 respectively.

Clause 6: Insertion of s. 15B
Clause 6 inserts new section 15B. This section enables an active contributor to the pension or lump sum schemes under the *Superannuation Act 1988* to become a member of the Triple S scheme so that his or her employer can make contributions to the member's employer account in respect of salary sacrificed by the member for the purpose. The section makes it clear that the only benefit that a person can receive in respect of membership under this section is the employer component of benefits.

Clause 7: Amendment of s. 25—Contributions
Clause 7 amends section 25 of the principal Act. By removing subsection (8) contributions will in the future be based on the amount for the time being of fortnightly salary. Subsection (7) provides that where an employer's systems are not capable of accommodating such a change the Board may direct that the existing method of determining contributions will continue for that employer. The other changes made by this clause are consequential.

Clause 8: Amendment of s. 25A—Additional contributions

This clause makes a consequential change to section 25A.

Clause 9: Amendment of s. 26—Payments by employers

This clause amends section 26 of the principal Act. New subclause (1a) requires employers to pay (or arrange for payment) to the Treasurer an amount equivalent to salary sacrificed by its employees under an award or enterprise agreement for the purpose of increasing their employer components of benefits.

Clause 10: Amendment of s. 27—Employer contribution accounts

This clause amends section 27 of the principal Act. New subsections (2a) and (2b) provide for employer contribution accounts to be credited with amounts paid by or on behalf of employers to the Treasurer under section 26(1a) and 15B(2) respectively. Paragraph *(c)* replaces subsection (7) and inserts new subsection (7a). These new subsections provide for the South Australian Superannuation Board to fix administrative charges and factors for future service benefits and disability pensions.

Clause 11: Amendment of s. 33A—Disability pension

This clause amends section 33A of the principal Act by replacing subsections (4) and (5) with new provisions that take account of the various methods of contributing to the Triple S scheme.

Mr FOLEY secured the adjournment of the debate.

GROUND WATER (QUALCO-SUNLANDS) CONTROL BILL

Read a third time and passed.

CRIMINAL LAW CONSOLIDATION (MENTAL IMPAIRMENT) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 June. Page 1414.)

Mr ATKINSON (Spence): About five years ago, parliament changed the law on how the plea of insanity should work in criminal trials. For more than 150 years we had been confining defendants found not guilty owing to insanity to institutions at Her Majesty's pleasure. In South Australia, this meant indefinite confinement to James Nash House. Detailed rules were laid down by parliament in 1995, including rules about supervision for a determinate period. Instead of being detained at Her Majesty's pleasure, defendants who were found not guilty owing to mental impairment but guilty of the objective elements of the offence, or unfit to stand trial owing to mental impairment but guilty of the objective elements of the offence, could be declared by the court to be liable to supervision. Supervision might take the form of releasing the defendant on conditional licence or committing the defendant to detention. When making a supervision order for detention, the court had to set a limiting term equivalent to a period of imprisonment.

The government by this bill is suggesting to parliament ways to finetune these rules. The opposition supports the government in this enterprise, and we think that the way in which the finetuning has been done is good. Being sentenced to detention at Her Majesty's pleasure was such a serious outcome for the accused before 1995 that the plea of not guilty owing to insanity was rarely used, except for murder trials. Now that the sentence of supervision is more in proportion to the individual crime, the number of not guilty owing to mental impairment pleas has increased. Indeed, the government tells the House that supervision orders are up from 10 in January 1996 to 50 in July 1998 and to 120 today.

The bill ensures, out of an abundance of caution, that an accused pleading mental impairment may be convicted of an alternative verdict, or lesser verdict, if the objective elements of the major charge are not proved beyond reasonable doubt. The bill also insists that the jury's role in a trial involving mental impairment is the same as its normal role in a criminal trial, so that if the jury cannot agree unanimously on a verdict, or a statutory majority verdict, a retrial should be held.

The bill reduces the number of psychiatric reports necessary when the accused is charged with a summary offence. Before 1995, our criminal justice system did not have much experience of not guilty owing to insanity pleas to offences other than murder, and no experience of its being pleaded to summary offences. The 1995 act imposed serious reporting requirements. These requirements were: that there be psychiatric evidence of mental impairment or unfitness to stand trial; that the minister responsible for the Mental Health Act submit a report 30 days after the supervision order is imposed, outlining diagnosis, prognosis and suggested treatment, and a similar report each 12 months the accused is under supervision; and that the court was not to release the accused unless there were three additional expert reports on the accused's condition. Each of these reports costs at least $300, and when mentally impaired offenders came before the Magistrates Court it was the Courts Administration Authority that ended up being billed for these reports, because the offender could not afford them.

The bill reduces the number of reports required from three to two, or one in the case of summary offences. The 1995 changes separated the trial of the accused's mental impairment from the trial of the objective or other subjective elements of the offence. The objective element could be summarised by asking: irrespective of his mental state, did the accused actually do the crime; or, leaving aside the question of the accused's mental state, did he do the actus reus? The trial judge was able to choose whether to inquire into the mental impairment or the objective elements of the offence first. The finetuning before us attempts to ensure that in whatever order the inquiries are taken the outcome would be the same on the facts. The minister says that he wants no procedural distortions. The bill also makes clear that, if the judge finds that the accused was suffering from a severe mental impairment that absolves him from criminal responsibility, the court should not go on to inquire into the other subjective elements of the offence, by which we mean the accused's mental state on matters such as provocation and self-defence. The inquiry into the objective elements should not include consideration of the defences.

The bill also spells out the consequences of cancelling the accused's release on licence.

Mr Hill: It's a riveting speech; just keep going.

Mr ATKINSON: I am just hoping that the minister will be able to answer any questions the opposition may have during committee. The authors of the 1995 bill had been under the impression that there was a default procedure upon licence being revoked, and that appears now not to have been the case. Now that more defendants are seeking to plead mental impairment or to argue that they are unfit to plead, defence lawyers are finding themselves trying to handle clients whom the law now more readily accepts as mentally incompetent. The 1995 section on this, section 269W states:

> If the defendant is unable to instruct counsel on questions relevant to an investigation under this part, the counsel may act in the exercise of an independent discretion in what he or she genuinely believes to be the defendant's best interests.

The Criminal Law Committee of the Law Society submitted to the opposition a paper arguing that a legal guardian ought to be appointed to make these decisions for the mentally impaired accused rather than these decisions being made by

counsel for the accused. The opposition does not think that this is sensible. We agree with the government's addendum in clause 14 of the bill, which provides:

> If counsel for the defendant in criminal proceedings has reason to believe that the defendant is unable, because of mental impairment, to give rational instructions on questions relevant to the proceedings, the counsel may act in the exercise of an independent discretion in what the counsel genuinely believes to be the defendant's best interests.

We think the expression, 'what the counsel genuinely believes to be the defendant's best interests', will suitably protect lawyers.

The Law Society also submitted that proposed clause 15, authorising a court in pre-trial proceedings to order the accused to undergo a psychiatric examination, if such a psychiatric report would expedite the trial, was, according to the Law Society, a violation of the right to silence or the right not to answer incriminating questions. We think that the Law Society exaggerates on this point and we note that the amendment allows both the prosecution and defence to have copies of the report. The opposition will be supporting the second and third readings of the bill.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the honourable member for his contribution.

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

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION No. 2) BILL

Adjourned debate on second reading.

(Continued from 31 May. Page 1314.)

Mr HILL (Kaurna): I indicate that the opposition supports the bill, and I also indicate that in committee I will move amendments to the bill. I apologise to the minister for the lack of notice: I thought that he had received a copy of the amendments prior to this time. In the time allotted to me I will briefly go through the government's bill, talk about my own amendments, talk a little about the politics of radioactive waste and then go through some of the arguments as to why the bill should be supported. Members of the House will remember that in April this year I introduced a Nuclear Waste Storage Facility (Prohibition) Bill; it was bill No. 1 on this issue.

At that time I spoke in some detail and at some length to that bill, so I will not go through that detail again today. However, I indicate that I stand by the comments I made on that occasion and, generally, they do apply to my contribution tonight. I also indicate that on 21 October 1999 I moved a motion in relation to this issue. I would refer any *Hansard* readers who want to know my and the opposition's full position on this issue to proceed to *Hansard* dated 21 October 1999, as well as the contribution I made on 13 April this year.

The opposition has been raising this issue for some time. We have been running and fighting a campaign in opposition to South Australia's being used as a repository for Australia's and the world's radioactive waste. We understand, as it has indicated, that the government will accept the storage in South Australia of the low level waste. While we do not concede the merits of that case, we are not fighting that issue here tonight. We are talking about South Australia's being used for intermediate, long-lived waste to what is called high level waste. The government's bill, basically, is my bill with some additions. It is a kind of added-to bill.

The government refused to debate my bill because I do not think that it had made up its mind at the time that I introduced my bill whether it intended to go down that track. However, public pressure, and particularly pressure from the media, have changed the government's mind. The government did not have the good graces to either accept my bill or amend it if it felt that it was inadequate. The government criticised my bill. It said that it was inadequate in so many ways and then went through the silly process of introducing its own bill. If one goes through the government's bill one can see that it is remarkably similar to the bill that I introduced. The government has added some things which, I guess, are not harmful, but which in many ways are just padding. I know by the smile on the minister's face that he agrees with me 100 per cent in that regard.

An honourable member interjecting:

Mr HILL: No I certainly wouldn't. I will go through the government's bill and point out the differences that I can see between this bill and mine. For example, the government has a clause in its bill called 'Commencement', which states when the act will come into operation. It has another provision entitled 'Objects of act', which I suppose will help. The two fundamental differences in the government's bill are to do with what they call the testing use or decommissioning of nuclear weapons and the transportation of radioactive waste in South Australia.

While I do not object to the addition of the testing use or decommissioning of nuclear weapons in the definition of what is meant by 'nuclear waste', I would have thought the definition in my bill which referred to the operations or decommissioning of a nuclear weapons facility was broad enough to cover that particular. If that is not the case, I am happy to have the amendment or that addition to the bill that I originally proposed.

Clause 6 provides that the act does not apply to nuclear waste lawfully stored in this state. In my bill it was not my intention to give coverage to radioactive or nuclear waste lawfully stored in this state. I sought the best advice I could get on this, and I was told that no waste was stored in this state which was category S waste. I tried to get some information on this, and I put a question on notice to the Deputy Premier when he was responsible for these issues. I am yet to receive a reply to that question. I asked him about the nature of the waste that we had stored in South Australia; what category that waste was; what was the volume of it; and where it was stored. Some months later, I am still awaiting a reply. It would have been helpful in the debate on this bill if we knew the nature of the waste and where it is in South Australia. I did not have this provision in my bill, as I was told that it was irrelevant because that kind of waste was not stored in South Australia.

The next change in the government's bill involves clause 8, which is the penalty clause and which provides:

> A person must not construct or operate a nuclear waste storage facility.

In this case, the maximum penalty for a natural person is $500 000 or imprisonment for 10 years, and, in the case of a body corporate, $5 million. In my bill, I did not discriminate: both bodies corporate and natural persons were subject to fines of $5 million. In one sense, I suppose it is reasonable that the penalty the government's bill proposes in relation to a natural person is a smaller penalty in terms of the financial

impost but more severe because a gaol sentence is attached. So, I do not object to or disagree with that measure. Of course, it would be very interesting to see the government try to apply this measure to Senator Minchin, if he ever went to the extend of trying to store the waste in South Australia.

An honourable member interjecting:

Mr HILL: Some of his colleagues would support me, according to my colleague. I am not sure about that. Clause 9, which relates to a prohibition against importation or transportation of nuclear waste for delivery to a nuclear waste storage facility, is a new provision. Once again, I sought advice from Parliamentary Counsel on transportation of waste, and I was assured by the counsel that this was an unnecessary and redundant clause. I did not therefore proceed with it in my bill. No doubt the Government was given similar advice but, in order to get some product differentiation, it decided to include it. I do not object to it, but I am not sure that it is absolutely necessary.

There is a clause relating to the powers of a public authority, and in the government's bill a public authority may remove a nuclear waste storage facility and make good any environmental harm resulting from the construction or operation of that facility or prevent or mitigate any future environmental harm resulting from the construction or operation of that facility. That is an interesting measure which was not in my bill. I agree that this is an improvement.

Once again, if one contemplates the actuality of this, if it ever came into practice and if Senator Minchin did manage to construct a facility in this state, and the public authority—the EPA or whoever—was then sent out to decommission it, it would produce an interesting spectacle and, no doubt, would involve many more police officers, courts and lawyers than we have in this state.

Clause 12, which relates to orders by court against offenders, is also a similar provision which would allow courts to make orders to cause offenders, that is, persons or bodies corporate which had sought to establish a facility in South Australia, to undo the damage that they had caused. As I say, this is some padding that has been added to my original bill. I do not think it makes my bill any worse. In some ways, it improves it; I can see that. I am therefore happy to support the general provisions in the government's bill.

I now turn to my amendments. Once again, I apologise to the minister for the lack of notice. The amendments are really twofold. There are some technical amendments which I will go through in detail in committee, but the two proposals in this bill are these. First, if the commonwealth government decides on a site in this state for the storage of intermediate long-lived waste, or high level nuclear waste, that would immediately trigger a referendum in South Australia. The referendum question would be, 'Do you approve of the establishment of a facility in South Australia to store category S nuclear waste generated interstate or overseas?'

While the High Court might say that the rest of the bill—especially in relation to powers over the banning of radioactive waste storage or the transportation of radioactive storage in South Australia—the High Court might find that none of those provisions applies. However, one thing it could not stop is the ability and the right of this state to hold a referendum on this issue. This adds enormous strength to this bill. It would make it very difficult indeed for a commonwealth government of whatever colour to contemplate putting radioactive waste in this state if it knew that it had to fight a statewide referendum on the issue. It would give it great cause to pause. It would not like to do that because I am absolutely certain the no case would win an overwhelming vote.

Public opinion polls show that somewhere 85 and 95 per cent of people oppose South Australia as the venue for the storage of a radioactive waste of a high level. If there was a referendum on it, the federal government would lose overwhelmingly—although one would like to see Senator Minchin running a campaigning based on, 'Vote yes for category S.' That would be a great campaign slogan for the good senator. However, if he were to do that, he would go down in a screaming heap.

The other provision in the amendments is to trigger a public inquiry into the environmental and socioeconomic impacts of nuclear waste storage on South Australia. The mechanism mentioned in this provision is that the Environment, Resources and Development Committee of the parliament would undertake an inquiry to look at the environmental and socioeconomic impact of nuclear waste. Once the commonwealth government said, 'South Australia will be the venue,' our parliament would immediately begin an investigation into the issue.

Once again, if the rest of the bill were to fall down because of High Court action, one thing is for certain: this could still go ahead. So, two granite outcrops would be left if the rest of the bill eroded. The first one would be the referendum, and the second one would be the public inquiry into the environment. I recognise that the minister has not had a lot of time to contemplate these provisions. I would ask him to think about them seriously. They will add considerable weight to his bill, and it would help enormously in our campaign as a South Australian parliament—our campaign on behalf of the people of South Australia—to stop a federal government proceeding with this measure.

As I said before, if the government had to face a referendum, it would really have to think carefully about proceeding because it knows it would lose, and lose overwhelmingly. If there had been a referendum which voted no, how could it, in all good conscience, proceed with putting a radioactive waste dump in this state?

I know that the minister has not had a chance to contemplate this so, before considering this matter, he might like to defer the final consideration of this bill to perhaps later this evening or maybe tomorrow so that he can talk to his some of his colleagues; of course that is always up to him. I will look at the history of the issue in some detail. The opposition has been raising questions about radioactive waste storage in South Australia for some time. We know that the commonwealth government for a considerable period has been looking at South Australia as the location for storage of its low level waste, and that has been in the public arena. The opposition has tried many times to get the state government here to acknowledge that the commonwealth government was also looking at the storage of high level material. It has taken a long time for the state government to admit that. For example, on 19 November last year I asked the Premier about what consultation had occurred in relation to the high level waste and the Premier in his answer to me said, 'We have not been consulted at all by the federal government on this issue.' However, on the same day in the last moment before the parliament got up for the year he eventually came back to the House with an explanation and said:

> The Prime Minister advised that the commonwealth-state consultative committee on radioactive waste management had recently supported collocation of a store for long-lived intermediate level waste, with a repository as a first siting option.

That was a letter from Prime Minister Howard in 1998. So when we asked the Premier in 1999 he had no idea of the notion of collocation. Eventually he got on the bandwagon, but back in 1999, a year or so (almost two years) after the Prime Minister's letter, he knew nothing about it.

In estimates, on 29 June last year, I asked a series of questions of Minister Kerin, who was then responsible for this issue. I asked:

> Will the state government rule out cooperation with the commonwealth government over radioactive waste storage in South Australia unless the commonwealth agrees not to proceed with a long-lived radioactive dump for South Australia?

Mr Kerin said:

> This is a somewhat hypothetical question.

He went on to say:

> This issue has not been raised—certainly with me anyway—by the federal government. My understanding at the moment is based on low level radioactive waste with short-lived medium level radioactive waste, as per the documents that were pretty widely distributed in the community. That is the basis of the public consultation that has taken place;

That was in June 1999. We know that the Premier conceded in November 1999 that, yes, the Prime Minister had written. Since the parliament has been sitting this year the opposition has tried very hard to get a copy of the letter the Prime Minister sent to the South Australian government, to the Premier of South Australia. Eventually under an FOI request we received that letter. The letter was received by the opposition on 4 July this year. Interestingly, it appeared in the press the day Premier Olsen left the state and therefore he was not subject to any questioning either in the parliament or by the media about his response to the letter. It is interesting. The letter to Mike Rann from Vicki Thomson, the Chief of Staff of the Premier and also the principal FOI officer, says:

> As requested, please find enclosed the following documents:
> · a copy of a letter from the Prime Minister, the Hon. John Howard MP, dated 23 February 2000.

It should be '1998', as the letter reveals. I am sure it is just a typo. She says:

> Please note that the Premier did not respond to the Prime Minister.

This raises a large number of questions. It is a great shame the Premier is not around to answer these questions this week. I will refer briefly to the letter from the Prime Minister to Mr Olsen back on 23 February 1998—18 months before Mr Kerin said that he was not aware of any plans to collocate intermediate level radioactive waste with low level radioactive waste in South Australia. In his antepenultimate paragraph, Mr Howard says:

> I also wish to advise you that the commonwealth-state consultative committee on radioactive waste management recently supported collocation of a store for long-lived intermediate level waste with the repository as a first siting option.

On 23 February 1998 the Prime Minister told John Olsen, the Premier of South Australia, that the commonwealth consultative committee recently supported collocation of a store for long-lived intermediate level waste with the repository as a first siting option.

Why did it take Premier Olsen 18 months to work out that he had got that letter and that it was an option on the table? Why did not Acting Premier Kerin know about this correspondence? Why did he not know that this was being planned? Where were these people? Why were they not keeping their eye on the ball in relation to this very important issue—an issue which is so important that the Minister for Environment and Heritage now brings in some legislation to try to block it? Why back in 1998 were they not saying as loudly, clearly and publicly as they could, 'We do not want radioactive waste stored in South Australia'? The reason is that they did not care back then and it is only since it has become a public issue that the government has decided to get involved. The Prime Minister continues in his letter:

> The waste is not suitable for disposal in a near-surface repository but may be stored safely in a purpose designed building, pending ultimate disposal in a deep geological repository. The small volume of long-lived intermediate level waste which Australia currently has, and which we are likely to generate in the near future, does not currently warrant site collection for a repository for this type of material. The community consultation process for the national repository outlined below will include discussion of collocation of the store for long-lived intermediate level waste with repository.

In other words, the Prime Minister is saying that, while we are consulting the community about the low-level waste, we will also be consulting them about this higher level waste. If that is the case, I do not know whether too many people from the electorate of Giles, where the low-level waste is being stored, have been consulted on this issue. I certainly do not believe that the people of South Australia generally have been consulted on this issue. In fact, every time it is raised with Senator Minchin, the federal minister responsible, he says, 'Look, these things don't have to go together; this is further down the track; we have not even thought about this proposal yet for the high level waste. Sure, we've said it might be good to collocate, but we really haven't started thinking about it.' Yet back in 1998 the Prime Minister told our Premier that the discussion of collocation and consultation on the two repositories would happen at the same time. Further down the page the Prime Minister says:

> A public consultation period until at least the end of April 1998 will provide opportunity for extensive community participation and detailed comment on the discussion paper.

This letter was sent to the Premier back on 23 February 1998 and Vicki Thomson, the principal FOI officer says, 'Please note that the Premier did not respond to the Prime Minister.' Why on earth did he not? I would have thought just as a matter of courtesy the Premier would respond to any letter he got from the Prime Minister; he responds to most of the letters he gets from me, and I am not nearly as important in his life as is the Prime Minister.

I can only assume that somebody else from the government responded on his behalf. Who is that person? That is something we do not know and something I hope in debate the minister may be able to advise us on. My suspicion is that it was the Deputy Premier who answered the letter, the same Deputy Premier who on 29 June 1999 said,'This issue has not been raised—certainly with me anyway—by the federal government.' The clear facts are that the issue was raised by the federal government—it was raised by the Prime Minister on 23 February 1998. Either the government benches are misleading this side of the House on what they knew and what they did not know or it just happened that it was not important to them, so it slipped their memory. Perhaps this letter from the Prime Minister was placed on a desk in somebody's file—another pro forma letter, we do not need to worry about that—and just ignored. The government needs to answer a number of questions about its behaviour on this issue.

At the same time the Premier's office released on FOI the letter from the Prime Minister we also received minutes taken of the commonwealth-state consultative committee on management of radioactive waste, held on 25 November

1997. This committee had representatives from each state, including South Australia, and the federal government, looking at issues of radioactive waste storage. I will not read all of the minutes but will read a couple highlights to whet the appetites of members. In the committee report on page 2, under the heading 'Possible collocation of a category 'S' store with a national near surface repository', this is what was written:

> Mr Rawson, DPIE, indicated that collocation of a category 'S' store was important for the Commonwealth as the government response to the senate committee report on the dangers of radioactive waste makes a clear commitment for the CSCC [the commonwealth-state consultative committee] to consider collocation of the two facilities.

He also indicated that he was looking for the committee to support collocation. So, back in 1997, at least the representatives of the state government on this committee knew that the commonwealth was looking at collocation. What advice were our representatives giving the government? What advice were the responsible government ministers giving to the representatives about how they should vote? They are more questions which need answering.

Interestingly, in the same report on page 3 there is a very telling reference to some of the issues facing the committee in relation to Tasmania. Under the heading, 'Requirements for conditioning of radioactive waste disposal in a near surface repository', the report states:

> Dr Shields [from Tasmania] reported that there is in Tasmania a small number of damaged sources which should be packaged, now, in such a way they would be suitable for disposal in a repository.

That bangs on the head a bit the continuing comments from Senator Minchin that 'we're looking for a facility which is needed some 15 to 20 years hence'. At least in the case of Tasmania, there is an urgent problem—at least there was in 1997. On page 6 of the report in a state by state roundup, we read the following:

> Dr Shields reported that a recommended location for a Tasmanian store had recently been leaked to the press, resulting in the site no longer being a possibility.

At least the Tasmanians had their eye on the political ball because they realised that once the public knew that a storage facility in that state was being considered, once it was leaked to the press, it no longer became tenable. I suspect that is what is happening in South Australia: once the public knew what it was up to, the government worked out the figures and decided to walk away from what, I believe, was its original intention to support the storage in South Australia of the intermediate to high level waste—if not support it, then to ignore the processes which would ultimately lead to that. As recently as 17 May 2000, Senator Minchin in a press pack in relation to low level storage in South Australia had this to say:

> The search for a low level waste repository should not be confused with the search for a store for intermediate level waste. The search for the store has not yet commenced—when it does, it will involve a nationwide search and further public consultation. No decision has been made to collocate the store at the site of the repository.

That is what he says in 2000 but, if members were listening when I went through the other documentation, it is very clear that the commonwealth government had every intention of collocating the intermediate-high level waste with the low level waste. That was its clear intention: the Prime Minister's letter said that 'we will consult about both these issues at the same time'. Because of public pressure, I suspect, Senator Minchin has backed away from that and is saying that it is not on the agenda. I hope he is right, and I sincerely hope he gets the message from this state that we are not impressed with his arguments and we do not want the material stored in this state.

On 8 June 2000, a few weeks after the press release, Senator Minchin had an article published in the *Canberra Times*. 'South Australia's nuclear war' is the nice tabloid headline and Senator Minchin has a number of things to say. I will not read them all, but I will quote a couple of highlights to give the flavour of Senator Minchin's current position, because he is really the enemy in this whole matter; he is the man who is trying to turn his own state into a location for high level waste. He says in the article:

> The distinction between a repository and a storage is important as they are completely different, housing different types of waste. There is no need for the two to be at the same location.

I find that extraordinary given all the other documentation where he says that collocation should occur. He is now backing away and saying that there is no need for the same location. I say,'Good for that; I hope that comes to be the case.' If we have the low level waste stored in South Australia, I hope that we do not have the intermediate waste stored there as well. I somehow suspect that Senator Minchin is saying one thing in this article, but thinking another. What I particularly like—and I take great pride in the next quote—is what he said about me, and I quote:

> Labor's environment and heritage spokesperson, John Hill, deserves to be condemned for trying to whip up anti-radioactive waste hysteria in South Australia.

If I have achieved anything to help the campaign against this state's becoming the radioactive waste dump, I am very pleased, indeed. But I do not think I needed to do a lot to whip up concern about this issue. In fact, I do not think it is hysteria: I think it is good commonsense being shown by at least 85 to 90 per cent of South Australians. He then goes on to say:

> South Australians have nothing to fear from radioactive waste.

That takes the, I should say, yellowcake; that just takes the cake. We have nothing to fear from radioactive waste: bring it all on—dinky-di radioactive waste, as Senator Minchin famously said on one television interview. He also says about his colleague, the Premier—and I quote:

> Premier Olsen has been misguided in responding to anti-nuclear scaremongering.

So, I am the scaremonger who is whipping up hysteria: the Premier who says the same thing and introduces a bill, which is perhaps even tougher than that which I introduced, is just responding to my scaremongering. Senator Minchin further says:

> Any legislation passed by South Australia or any other state or territory will not change our plans. Once the site for the low level waste repository is chosen, we will commence a nationwide search for the best site for the intermediate level store.

What we say will not change 'our plans': it is the arrogance of a federal senator on this issue. I sincerely hope that this bill when it is passed—and I am sure it will be passed—does change the good senator's plans because it is very clear that South Australians do not want this facility built in their state.

I briefly refer to the position of my federal colleagues because comments have been made about where the federal opposition stands on this issue. In their press release of 6 June, Martyn Evans, MP (the shadow minister for science and resources), and Senator Nick Bolkus (the shadow minister for environment) refer to the Lucas Heights reactor. The headline

is, 'Government closed mind to public concern about new nuclear reactor at Lucas Heights'. In relation to the decision to build the reactor at that site, they say:

> It is a decision the Opposition regards as completely inappropriate without a comprehensive public review of all the options, including a long-term solution to the management of associated waste.

In addition, Minister Debus (the New South Wales minister for the environment) in his press release in June relating to the Lucas Heights refinery says:

> . . . the draft EIS did not justify the commonwealth's decision to build the reactor in such close proximity to the suburbs of Sydney.

This is just not a campaign about our storing the waste: it is also a campaign about a new reactor being built in the outer suburbs of Sydney. As I have said previously, if it is good enough to build a reactor in the suburbs of Sydney, it is good enough to store the waste that the reactor will produce on that same location, because, after all, the persons who will operate the reactor will have the skills, knowledge and the security systems in place to look after waste as well as the processing. I do not think anyone would argue that the waste is more dangerous in a static form than the reactor itself. Reactors can have terrible accidents, as we know from examples across the world. That is the history of this matter.

I believe that the federal government has been devious on the issue. The state government has been either neglectful of the issue or complicit in the federal government's attempts to get South Australia to be the location but they have certainly changed their minds. They have changed their minds, I believe, because of the politics. I do not think there is any principal opposition on behalf of the government: in fact, I know that some government members have said in the House that it is a good thing to store radioactive waste in this state for a variety of reasons. We know that the state government is in trouble politically; they are behind in the polls, so they are looking for issues which can make them appear to be the good guys. We have a seen a whole range of issues in which the state government has involved itself; where it has been seen to be tough and fighting the federal government; taking the kind of Bjelke-Petersen approach to politics in the hope it may achieve for them what that approach achieved for Joh and others over the years. So, we have seen the Murray River; we have seen 'Bring home the kids'; we have seen the Kosovar refugee issue—the Premier says, 'Keep the refugees in South Australia.'

Of course, we have this radioactive waste issue. It appears to me that perhaps since the Premier has had a new media staff someone on that staff has read Dick Morris's book about values and political campaigning in America during the Clinton attempts to get re-elected and is now applying the same sort of approach to campaigning: that, is have a whole range of issues to do with values and feel-good things and try to get the community involved in those matters. I am a bit cynical about the government's intentions, although I support the bill.

I will briefly summarise the arguments in favour of the bill. First, South Australians do not want it. This is not just a case of nimbyism: we do not want it. No-one else in Australia wants it, that is true, but we do not want it. The polls show that 85 to 95 per cent of South Australians do not want it.

Secondly, there has been no proper consultation with the people of South Australia about this issue. There has been limited consultation with neighbouring people about the low level facility, but there has been none at all about this higher level facility. In fact, the government pretends that it is not on its agenda.

Thirdly, as I have said, if we are to have a reactor at Lucas Heights, why not leave the waste there where the security systems are in place? We have already been told by the Prime Minister in his letter of 1998 that a large volume of material is not involved, so storage should not be a big problem. Why not leave it at that location which already exists?

If this higher level waste is stored in South Australia, there is the potential that, over time, pressure from international holders of nuclear waste will become great; that they will want to store their waste here also; that they will offer a bag full of dollars to agree; and that, in a moment of weakness, a future government might say, 'We already have Australia's waste; we may as well take the world's waste and make some money for our state.' What it might lead to is one of the issues we need to bear in mind.

This is about politics: it is about politics in South Australia and the politics of the federal government, which is desperate to get the Lucas Heights reactor up and running. It has made a promise to the local citizens in the area that it will deal with the waste issue before it does that. The federal government is desperate to find a place to store that waste. I think it knows in its own heart that it does not need to store it anywhere else other than Lucas Heights. However, the federal government has made that commitment and it is worried about the politics of proceeding with the Lucas Heights reactor without finding a place for the waste to be stored.

I am also concerned about what it may do to South Australia's reputation if we become the home for all of Australia's radioactive waste. That may cause problems for our tourism market or our ability to sell goods, particularly food and wine, overseas. We have a reputation for being a clean, green producer. If markets in Europe, Asia or America know that our products are coming from a state which contains a whole lot of radioactive waste, they may think twice about it.

I suppose the biggest issue is the potential for environmental damage. We have been given all sorts of assurances from Senator Minchin and others that radioactive waste will not hurt anyone, that it is safe, and that we do not have to worry about it, but we are talking about something that is going to be here for 250 000 years. How can anyone give guarantees about the effects of a product, which is dangerous, over 250 000 years? The containers which hold the material could break, be damaged or leak during that time. Who knows what geological changes may happen? How can we take that risk?

For all those reasons, I encourage the House to vote unanimously for the bill, and I also commend to the House my amendments relating to a referendum and a public inquiry.

The Hon. M.D. RANN (Leader of the Opposition): I rise to support the government's bill and the amendments that have been foreshadowed by the shadow minister. We were all delighted when in November 1999 the Premier told parliament that his government was absolutely firmly against South Australia's being a location for a medium level nuclear waste dump. Obviously, we were all concerned, when we heard about the lower level waste repository, that this would be the thin end of the wedge for a high level repository at a later stage. Of course, this was the position held by the Labor opposition, and we welcomed the Premier's endorsement of our position.

The Labor Party introduced its own legislation into the parliament to ban intermediate level waste, high level waste or S-rated waste. We were pleased that this had the effect of flushing out the government, particularly when it was saying to us privately and to others that there was no point in the opposition's legislation banning medium level nuclear waste because the commonwealth could easily override it.

It now seems that the political winds have blown in such a way that the Premier now shares our view that legislation passed by this parliament with bipartisan support would put the federal government, the Prime Minister and Nick Minchin on notice that if they override the state's legislation to establish a collocated waste dump in South Australia they do so at their own political peril.

There would be a number of nervous backbenchers who would be concerned about what can only be described as a groundswell of opinion. We are seeing the circulation of various petitions around the state, some of which have been championed by Channel 7. I hope the Premier will sign this petition. It will be interesting to see whether he does so to establish his bona fides.

There are some things that concern us. What remains puzzling is that for two years this government had representatives on a state-commonwealth consultative committee which had agreed to our state's becoming a first siting option for the collocation of a low and medium nuclear waste dump. We know that because comments were made in 1997 by a minister and in 1998 that that commonwealth-state committee had recommended the collocation and a first siting option in South Australia.

We understand that the state-commonwealth consultative committee came to its position unanimously in November 1997. So, why did the government wait for two years to adopt a position on this nuclear waste dump? Why did the Premier leave it so long? If the Premier told the federal government in February 1998 that he was opposed to the collocation, why did he wait for more than two years to introduce legislation to stop it? As I have just mentioned, this was after Labor introduced its bill to do the same thing.

This is very interesting. We raised this issue during the estimates committee. We asked the Minister for Human Services about his officer on the federal-state consultative committee. He said that the officer was from his department but that he was not responsible: that that officer reported to the Premier's Department and the Premier, and that the Premier had clear oversight of this area. This is the same Premier who said that the federal government never consulted with the South Australian government on the issue. He cannot have it both ways. He cannot say on one hand that he was never consulted about the collocation option and swear black and blue to that effect, and then have an officer whose job it was, under the terms of reference of the committee, to report back to his government. His minister said that that officer did not report to him; he said that the officer reported directly to the Premier's Department and the Premier as the responsible minister. I guess this is the Brown-Olsen minuet continuing—this time over the state's nuclear future.

What concerns us also is that, if the Premier is fair dinkum about his opposition to the nuclear waste dump, why did he delay for so long the provision of information to the opposition under freedom of information? We knew that the Prime Minister had written to the Premier several years ago, and we asked for a copy of the letter and the Premier's reply. Well, week after week passed and at the end of last week—in fact, on Monday this week—we still had not received the letter, even though under FOI law the opposition was entitled to that information 11 days ago. It was given to the *Advertiser* on the special basis that it was released to the media but not to the opposition, which had a legal entitlement to the information. The Premier had told us in parliament that we would get the information we wanted. I predicted that the information would be given to us once the Premier was overseas; once he was on the plane, so he could not be contacted; once he was at a banquet in London and could be reached only by a nervous Acting Premier. Didn't we turn out to be correct yet again? It was released to us after it appeared in the newspapers—and that article itself did not tell the full story. Playing silly games with our freedom of information request which relates to a serious public issue does nothing to enhance the credibility of this government or its interest in scrutiny or accountability. Obviously, the media were not supplied with the critical part of our FOI request, which was the government's response when it was being informed by the Prime Minister in February 1998 that South Australia had been chosen as a first site option for a collocated low and medium level nuclear waste dump.

We are pleased to support this legislation. We do not believe the government's sincerity on much of this, because otherwise it would be more frank and open about it. We believe that it did a poll on the issue and found out where its principles lay through focus group polling—

The Hon. G.M. Gunn: You want to have a look back on what you people did in government.

The Hon. M.D. RANN: We opposed the location of a nuclear waste dump in South Australia and told our federal colleagues that. The important point to get across is that we are telling the government, 'We're putting you on your mettle. If you're fair dinkum about it, don't worry about the 6.30 meeting to get rid of Peter Lewis: concentrate on the legislation before the parliament.' In this legislation we are moving to set a trap for the federal government so that, if it tries to override this legislation, that will automatically trigger a referendum here in South Australia. Won't it be interesting to see how people line up? I can tell them in advance what the result will be: about 80 to 90 per cent will be opposed to the collocation of medium level nuclear waste in South Australia.

The elderly and particularly the young are telling us that they do not want us to have the reputation of being the nuclear waste dump. They do not want us to be the New Jersey of the southern hemisphere. When you go to New York you see the postcards designed to send up their neighbouring state, saying 'Welcome to New Jersey: the dump state' with various pictures of radioactive and other waste. We are trying to promote this state's clean food internationally, with aquaculture, the wine industry and a range of other produce. We are also keen to try to secure ecotourism to South Australia from the United States, Canada, Germany, Japan, Hong Kong and other South-East Asian countries who want to come to Australia for an ecological or environmental experience. We will not be able to sell ourselves and market ourselves internationally with confidence in that regard if we are tagged and badged as the nuclear waste dump state.

The deal was that fuel rods from the Lucas Heights nuclear reactor were to be sent to France to be reprocessed, put into vitrified glass and then brought back to Australia about 15 years hence. This is the trick in the story. I think the government believed it would not have to worry about it; 15 years from now it would not be around and would be someone else's problem. The problem is that under the terms

of the deal the site had to be established in order to convince France to sign off—the location for depositing the waste had to be established. Since that decision, with the Argentinian interest in the replacement for the Lucas Heights reactor there has been a change of plan over what will happen with reprocessing. If we listen to our kids, the bottom line is that they do not want us to be the repository for radioactive waste that would take more than 200 000 years to break down.

It is all very well for people to say that because of our geological formations we have a national duty to accept responsibility for this waste. It is just like the Pangea people and others overseas running around saying we are the best place in the world to be a repository for the whole world's nuclear waste, so why don't we earn a quick buck to do that? The fact is that we in South Australia have already exercised our clear national responsibilities back in the 1950s and 1960s, when South Australia was designated as the site for nuclear weapons testing by the British.

Members of successive governments, including me as Minister for Aboriginal Affairs, had endless meetings with federal ministers and even went to Britain to talk with the defence and foreign affairs departments and try to convince the British and Australian governments to agree on a clean-up of the Maralinga lands; and that has only just occurred. So, just at the time when we have finished that clean-up, here they go again; they want us to be the bunnies. It is all very well to make threats about using a commonwealth site; the real concern is that nuclear waste of varying quality will be brought through South Australia's ports, on our roads and through our communities. That is unacceptable.

It is very significant that the member for Kaurna is moving to establish this referendum trigger. If it gets not only state legislation but also the clear vote of the South Australian people against the moves to collocate a nuclear waste at Billa Kalina or elsewhere, then God help the federal government if it moves ahead and tries to override not only state legislation but also the overwhelming views of the South Australian people. If the state government is sincere in supporting our initiative for legislation, as we are today supporting its bill, then I believe that the state government would have no problem whatsoever if it is fair dinkum to support the member for Kaurna's move for a referendum trigger. This will be a good test of the government's sincerity, and we wait with interest to hear the minister's response.

Mr CONLON (Elder): I will add just a few words to this debate. Of course, the opposition supports doing all that can be done to prevent the siting of a nuclear waste dump in South Australia. That is absolutely evident from the history of this matter. It was the opposition and the member for Kaurna who led the issue and embarrassed the government into taking some sort of position on the nuclear waste dump, and now we find it here with a bill primarily because it was embarrassed into it by the opposition. This is a significant achievement for the opposition before the House today. I want to say something about the federal politics of this nuclear waste dump. It disturbs me that it seems that the only time the current federal Liberal government has ever managed to notice where South Australia is in recent years is when it wanted to find somewhere to put a nuclear waste dump. It is abundantly clear that one of the problems that we face as a state is that John Howard does not appear to realise there is anything beyond the Blue Mountains. It will be a great step forward for the people of South Australia when Kim Beazley very soon becomes the Prime Minister of Australia and gives us the attention we deserve.

It disturbs me greatly that one of the Premier's very close colleagues—you might say his primary helping hand—is the architect and the driving force behind the attempt to place this nuclear dump in South Australia. I refer, of course, to Senator Nick Minchin. It is well known in this place that it has been Senator Nick Minchin who has held the hand out to keep the Premier's head above water through many difficult times. It has only been through the good grace and the support of Senator Nick Minchin and his numbers machine that the Premier has remained the Premier through a number of difficulties he has experienced, which leads me to wonder just what have been the conversations between the Premier and his good friend Senator Nick Minchin on this matter over the past few years before the government was embarrassed into having to take a position of opposition on the nuclear waste dump. I would really like to know whether the position of the Premier has been as consistent on this matter as it should have been. We all know that, as I said, he is entirely beholden to Senator Nick Minchin, and I would really like to know what went on before we reached this point. I assume that we will never find out but it would be very interesting.

What we see here from Senator Nick Minchin is the politics of despair for South Australia. This man is supposed to be a senator for South Australia. Does he see our future lying in some hopeful new industry; some expansion of the aquaculture industry; some expansion of our research universities; in biotechnology; in all those things that we do—something about our lifestyle and our education? No. He sees our future being so bleak and despairing that all that we can sell ourselves as is a nuclear waste dump. I find that to be absolutely disgraceful politics—and you can see in it some of the problems of the Liberal Party in South Australia.

Compare the other Liberal Senator for South Australia (and I do not like to say a good thing about a Liberal), the environment minister. He at least has some positive ideas, such as a whale sanctuary—something that sounds a lot more pleasant—in the Southern Ocean. But we know what happens every time to Senator Hill in the federal Liberal caucus—in the party room: he gets rolled. Why does he get rolled? Because Senator Nick Minchin does the numbers on him for John Howard—'What do we have here: do we have an idea from Senator Hill? No!' He gets rolled on trying to do something about the Murray. He has fought hard over there—I will at least say that for him—to do something about the Murray and the state of the Murray in South Australia. But Senator Nick Minchin makes sure that he does not go anywhere. What we get from the Premier's very good friend Senator Minchin is, instead, a nuclear waste dump. I think that it is the politics of despair and, as I said, I think it is a pretty disgusting view of the future for South Australia.

I am sure that other people will want to contribute, and I am sure that there is much to be done in the committee stage. I support the amendment of the member for Kaurna. But let me say this about where this politics of despair will leave South Australia. If people believe this notion that somehow we will get the low level or medium level waste but if ever some time we want to get rid of high level waste some committee in Canberra will sit down and pick a site for it that will not be South Australia, I have a bridge I want to sell them. We do not want this nuclear waste dump, because we do not want this waste and we do not want worse waste later.

I commend the government for taking the lead of the opposition on this matter. I commend the Premier for having

some courage to stand up to his friend Senator Minchin but I would really like to know at some point just what went on before we reached this stage.

Mr LEWIS (Hammond): The motion that we have before us is a bill (on the bill file I think it is No. 102) to simply, as it were, ban the establishment of a nuclear waste repository—storage facility, or whatever else you want to call it—in South Australia. It may surprise honourable members (but do not let me disabuse them) that I do not support that. It is not based on good science. The fact is that we now transport around our society a great deal of highly radioactive material which is necessary for X-rays and other procedures, which are an essential part of civilisation. We do that very safely, and no-one has died as a consequence of doing so.

Equally, the material that is generated by making those things we need that are radioactive for the X-rays and other health purposes and research that we need to undertake needs to be put somewhere (and the Leader of the Opposition touched on this in his remarks) for all of us in Australia—or, indeed, anywhere in the world—to be safe. If we as a society want that benefit, we need to find somewhere to put what is left, and we need to define the very safest possible place to put it. We ought to acknowledge that that is part of our responsibility in accepting the benefits that come from it. Whilst we know that it is dangerous to handle the material in question without care, it is possible to handle it quite safely as long as appropriate care and safety measures are observed in the process.

We have all that technology very well documented. Indeed, the risk to any one of us, and to all of us, is about 100 000 times less—or it is greater than that; that is, there is 100 000 to 1 million or more times less risk from this material than driving home tonight. For us to be making such a fuss about what is obviously something generated in consequence of providing us all with such benefits and to say that we must not do it smacks of political opportunism of the worst kind. If policy is not based on good science, the end result will be that the policy will have to be overturned. We do not live on a flat earth. Just because we say it is so will not make it so. Science tells us that, in truth, if it is so then it will be so. We cannot make it so. The sun will not rise in the west tomorrow morning: it will rise in the east—indeed, it is because of the way the earth is rotating, and I use that to illustrate my point.

For us to then whip ourselves into a lather by doing this is to reinforce the fear that has arisen in the community—fear out of ignorance—when we in this place, as elected representatives of the people, have a responsibility to those people. One of the four jobs we have is to be a source of valid information for everyone who asks us and not to mislead them about the facts that affect good policy decision-making. And this is, based on good science, a sound thing for us to do as Australians and South Australians. Certainly in Australia there is no safer place than the places presently under consideration for the storage of the remnants of the processes necessary to give us the benefits we enjoy in our medicine, in our research, and so on, to which I have already referred. We have a very old and stable continental shield that will not shift any time soon in the next 10 million to 100 million years. It is from that very same part of the continent that we are extracting at the present time the radioactive material, the characteristics of which we are saying we should be so afraid of that we will not allow it to be carried through our community, even though we are carrying for other purposes the same radioactive substances.

I do not support the proposition. I think that it is ridiculous and it ought to be thrown out. That will not happen. I do not expect that my views will tonight be popular with anyone. But that does not make them wrong, and it does not make the contrary views right. I think that the day we pass this legislation will reflect great shame on each of us, because we all know the scientific truth of the matter.

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

Ms BREUER (Giles): I feel that it is very important that I speak on this bill because members are talking about my electorate (the electorate of Giles), which will contain this waste. As a person who travels extensively through my region on a regular basis, it is important that I relay some of the feelings of the people in regional and remote South Australia. Certainly, the people of Whyalla (which is my home town) feel very strongly about radioactive waste being placed in their part of the state. It is easy to see the location as a huge expanse of land that contains nothing.

The SPEAKER: Would members not stand between me and the speaker, please?

Ms BREUER: Certainly, in some people's eyes it is a huge expanse of land and that there is nothing there, but when you travel through this area you realise the fallacy of this assumption. People are there, and communities are there. Pastoral land quite extensively covers the area. There are mining areas and there are the communities. They are small communities, but there are people in those communities. As I said, the people of Whyalla certainly feel very strongly about this issue because there is a possibility that, down the track, Whyalla could become a port for the export or import of some of this nuclear waste.

I also spend a lot of my time in Coober Pedy, and the people in that town are absolutely irate about the possibility of having this waste planted somewhere near them. We are talking about hundreds of kilometres, but it is very close by our standards. Certainly, the people in Woomera have felt very strongly about this issue. The people of Andamooka—which is just up the track—have, in fact, been some of the most vocal opponents of this proposal. They live only 27 kilometres from Roxby Downs, but they have vocally opposed the possibility of the location of this dump in their region. Surprisingly, the people of Roxby Downs have also spoken out very strongly on this issue.

We are talking about Roxby Downs, which is a uranium town. This looks like a great anomaly: why are they talking about the possibilities of a dump in their area? But many people in Roxby Downs feel very strongly about this issue. Also, my electorate covers the far west of South Australia, and people in that region have also expressed to me concerns about the possibility of this material being dumped in this part of the state.

I have tabled a number of petitions in this place. I have certainly had numerous contact with people in the region. And I have received letters, emails and telephone calls from people in the region, all expressing their outrage and concern that the federal government is considering our part of the state as a dump site.

A number of councils in my region have passed motions about this issue. Certainly the Whyalla and Coober Pedy councils—as well as a couple of other councils—have expressed their concerns through motions. I challenge the

member for Hammond, who said that people in that area really do not know what they are talking about. The honourable member said that, based on scientific evidence, we should know that it would be quite safe to do something like this. I challenge the honourable member very much on this. I challenge anyone in this place to know more about the issue of radioactive nuclear waste than a fellow in Andamooka called Bob Holton.

Bob Holton has studied this issue extensively. He has researched the issue. He has talked to people, written numerous letters and read everything that has ever been written on this issue. I consider that he is an expert on this issue. Certainly, Bob Holton opposes any sort of opportunity or chance that this waste might be located in our area. Andamooka is very close to the sites that have been considered for this dump. So, when the member for Hammond says that we do not know what we are talking about, that people do not understand what is happening on a scientific basis, he is wrong. Again, I challenge anyone in this place to know more about the issue than Bob Holton.

I am not really interested in who has done what in the past in this place, whether the Labor Party has supported this or that, whether the Liberal Party has supported this or that or whether the Labor Party is at fault, etc. I am really not terribly interested in any of those issues. I am part of this parliament. I am certainly part of the Labor Party, and I am proud of that. But I am also representing an electorate which, it is proposed, will be able to handle these issues. I do not care which government, minister or party has been involved in this matter in the past. I represent the people of that area now and I know that the people in that area are not interested in having a dump in their backyard, in our part of the state. The idea appals them, it frightens them, and they are opposing it totally.

In the past couple of days I was very pleased to hear about and to see some of the advertisements on television advertising the campaign, 'We're with Ivy.' The concerns have now certainly spread much further than my electorate. We have been talking about this issue for quite some time. We have been expressing our concerns for a long time, but now it appears that the rest of the state, and I believe the rest of Australia, has woken up when people such as Rex Hunt announces that he is with Ivy on this issue.

People in Australia do not want one of these dumps in their country. They do not want these dumps in their state. They are very vocal about this and they are prepared to stand up and talk about it and to express their concerns. I am very pleased to see this campaign because, while people in my electorate have been submitting petitions and talking to me, and to as many people as they possibly can about the issue, we felt, to some extent, that we had not been heard.

I am pleased that this bill has been introduced by the government. I am pleased that this campaign has now emerged and I am hopeful that thousands of people throughout Australia, not just South Australia, will express their concerns through this petition.

The possibility of this dump does not affect only South Australia—it is far-reaching; it is extensive. We all know that, initially, the authorities are talking about a very low level radioactive waste dump. I know that the sorts of material about which we are talking with respect to a low level radioactive waste dump will probably not hurt too many people. I know that there are many more dangers in our home from smoke alarms, etc., which would certainly contain the same sort of radioactive waste and which would certainly have the same sort of impact on us. We all know that that is not the issue. The issue relates to medium and high level dumps. We know that if a low level waste dump is located in our state then the next step will be inevitable and that we will end up with something about which we are all frightened.

Part of my electorate includes Maralinga, which I have visited on a couple of occasions. It was very interesting to visit Maralinga, and I feel quite privileged that I have been able to go there, because not too many people in Australia have been to Maralinga. I spent a night and a day there. I suffered all sorts of jokes about my trip: did I come out glowing, etc.? I must say that I feel reasonably satisfied that the very best work has been carried out at Maralinga. Certainly, the site has been cleaned up as much as possible.

I stood on the site, and it is quite an eerie feeling to know that you are standing on a site on which an atomic bomb was exploded. I stood on two or three of those sites. I imagined that they would be surrounded by devastation. For some reason I believed that if an atomic bomb was exploded there would be nothing left—that the site would be totally wasted. However, I was quite surprised; it is not like that at all. There was very little evidence that an atomic bomb had been detonated, apart from a couple of big cairns that stated that the atomic blast had occurred there.

I have also visited the Taranaki Plains, where the plutonium bombs were exploded, and that is a completely different matter. That site is a little scary to walk through. Many hours have been spent cleaning up the site, those involved using the most sophisticated and technical equipment available in the world. Initially they used procedures which meant that they were world leaders in technology. Unfortunately, their initial hopes were not realised and they were not able to continue with the process because of an unfortunate accident. The work that went on there was still quite a scientific breakthrough. However, they basically still have not cleaned up the area. They have done as much as they possibly can, and the Aboriginal communities will be allowed back into the area. They will be able to wander around and hunt there, but they will not be able to live on that site—and it is a quite extensive site. You can say that there will be no dangers, but you are talking about something that lasts 25 000 years, and they are not able to clean up that site.

One of the most wonderful things I have seen was when the certificate was handed over to say that the site had been cleaned. At that event, an Aboriginal man spoke, saying that he was there when the people were removed from the land, because of the atomic explosions that were to happen there. He said his coming back that day, knowing that they could have their land back, was the most wonderful thing that could happen to him. He was quite tearful about this—that his people were allowed back onto their land. They could not live on this site, but they were allowed back on their land. He said that, on the day they were taken away, there were no microphones or television cameras, as there were when this certificate was handed to these people to say that they could go back onto the land and that the site had officially been cleaned up.

It was moving for me to see how much the land meant to these people and how pleased they were to have their land back. They also had the pathos of knowing that it really was not cleaned up particularly. We have spent many years trying to do something about this Maralinga area. It has been reasonably successful but not completely successful—and it never will be. Yet we are now talking about opening up another site, where we could have the same sorts of far-

reaching problems that have occurred in that area. It is absolutely ridiculous and ludicrous, and I will never understand the mentality of the people who are talking about this.

We do not know what safeguards there would be for a site such as this. Transport is certainly an issue, and I know my colleague the member for Stuart wants to talk about this tonight, because Port Augusta was the site at which some of the transportation issues occurred. People from Roxby Downs brought uranium, and some uranium and radioactive waste was taken up north, through Port Augusta. I know there were spills and damage at the time. Safeguards were not put in place for the waste that was transported through those areas. There are also the issues of ports, which I mentioned before. Whyalla would probably be a prime site if there was any sort of transportation of waste from other areas. Whyalla certainly would be a site there. We can talk about job opportunities, and so on, for the people in Whyalla if this were to occur, but I am not a person who believes at jobs at any cost. There are real dangers involved in this, and I would want to make sure that those dangers did not exist for the people working in those areas. We all know that we can start off with a low level waste dump. Then it would become a medium level waste dump, and I hate to think what could happen from there.

Tonight, I have to comment on the silly comments of a colleague, the federal member for Grey. Recently, on a number occasions, I heard him say that this radioactive waste had to go somewhere and that he wanted more scientific proof about the real dangers of this radioactive waste. I do not know where Barry Wakelin has been for the past three or four years while this discussion has been going on, but he does not appear to have been in the same places as I have been, otherwise he would not make statements like that. He would take to heart the feelings of people in his electorate, and he would certainly oppose any sorts of proposals to put this waste into our area. He must be living in a different world, because I thought his statements were silly, way off beam and certainly did not take into consideration the feelings of people in our electorate.

Concerns have been expressed about tourism, the wine industry, and so on, in South Australia. While I care about those concerns—and they are big concerns—my concern is mainly for the people in my part of the state and for their safety. That is my prime concern in all this: I am not assured that the safety of the people is being considered. The attitude has been, 'It is a great big tract of country. There is hardly anyone there, and the ones who are there don't particularly count anyway, so let's bung it in the middle of Australia, let 'em kick up for a little while and then we'll forget all about it.' I take to heart the concerns of the Aboriginal people in that area.

Some 18 months ago, I read from a poem written by the Aboriginal women in Coober Pedy who felt very sad and were vocal about this issue, and have been public on their concerns about a radioactive waste dump going into their area. They believe that for their children and their children's children this would be the worst thing that could happen for those people in that area. I believe that for them this is a real issue. It is a real issue for the people in the electorate of Giles, in Australia, regional South Australia and remote South Australia. We do not have a particularly strong voice in that area because there are not enough of us. I am pleased that now people are sitting up and that the state government has said, 'We don't want this.' I am pleased that the people in our community have become involved in this through the campaign of being with Ivy, and I certainly support this bill in every way. We do not want this radioactive waste dump in our backyard.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank members for their contributions. The opposition tabled some amendments at 4.50 this afternoon. I have not had a chance to—

An honourable member: What's wrong with that?

The Hon. I.F. EVANS: Nothing at all—take them to my party room (or your caucus, as you would call it). We will go into committee only to—

An honourable member interjecting:

The Hon. I.F. EVANS: I want to take the amendments to the party room just to take a party position on them. We will go into committee and report progress so that we can move onto other business tonight.

Bill read a second time.

In committee.

Clause 1 passed.

Progress reported; committee to sit again.

SUMMARY OFFENCES (SEARCHES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 May. Page 1322.)

Mr ATKINSON (Spence): There is no general authority for police to search a person who has been arrested. The arrested person may be searched if there are reasonable grounds for thinking he has a weapon with which he might do himself or others harm, or with which he might effect an escape, or that he has in his possession evidence relating to the offence with which he is charged. There is no common law authority to strip search or even take fingerprints. To overcome this restricted authority, parliament has enacted section 81 of the Summary Offences Act, which provides:

> (1) When a person is taken into lawful custody, a member of the police force, or a medical practitioner acting at the request of a member of the police force, may search, and take anything found upon his or her person, and may use such force as is reasonably necessary for those purposes. . .
>
> (3) If a member of the Police Force intends to request that a medical practitioner search a person in custody, the person must be allowed a reasonable opportunity to arrange for the attendance, at the person's expense, of a medical practitioner of his or her choice to witness the search.

This section authorises both intimate and intrusive searches. We dealt with these last year in the Criminal Law (Forensic Procedures) Act. An intimate procedure involves exposure of or contact with the genital or anal area, the buttocks or, in the case of a female, the breasts. An intrusive procedure is one that involves intrusion into a person's bodily orifices, such as the mouth. An intimate intrusive search is a search of the rectum or vagina.

The Supreme Court in Franklin in 1979, and Dyson decided in 1997, held that this section authorised body searches and the taking of samples from the body. The purpose of this bill is to spell out in more detail how body searches are to be carried out. The bill says that body searches are to be carried out in a way that avoids unnecessary physical harm, humiliation or embarrassment. No more people than necessary should attend an intimate or intrusive search and, if possible, those people should be of the same sex as the person being searched. The bill provides that intrusive searches may be carried out only by medical

practitioners or a registered nurse. This is currently provided for in police standing orders.

If a minor is to be searched, or a person not fluent in the English language, a requirement is imposed that in all but the most urgent cases police should obtain the attendance of a suitable person to witness the search. A suitable person would be a solicitor or adult relative, adult friend or interpreter. A body search is to be carried out by a person of the same sex as the arrested person, unless the arrested person requests otherwise, or if that is not practicable. So far the opposition supports the government and we do not accept the criticisms of this part of the bill by the criminal law committee of the Law Society.

The law has not in the past required a third party to be present for non-intrusive intimate searches. It is not now proposed to have such a person present. What the government intends is that intimate searches be videotaped and that strict controls be imposed on the storage and playing of such videotapes. The government says this is necessary for the protection of both parties to the intimate search. The Attorney-General says allegations may be raised against the police after the intimate search has been completed and he says it would be helpful to have a videotape by which the allegations may be tested. The government says videotaping will avoid the need for more people to attend the search, but it is my opinion that more witnesses at the search are preferable to video recording.

The Attorney says a maximum fine of $10 000, inadmissibility of evidence and police disciplinary proceedings should be enough to ensure that the police do not abuse the authority he proposes we give them. I prefer that such a videotape not come into existence. That way the temptation to misuse it will not arise. The Attorney mentioned that eight complaints had been made about intimate searches in the past four years. In my opinion this low rate of complaint cannot justify the videotaping provisions of the bill. What would be far preferable to videotaping would be to require an independent witness to be present at an intimate search in all but the most urgent cases. Police have already been videoing intimate searches, but with the arrested person's consent. The government says it has the support of the Police Complaints Authority for the change. A person arrested may, under the bill, veto the video recording of an intimate intrusive search. This is because an independent person will be present at that kind of search, namely, a registered nurse or medical practitioner because they are required to conduct the intrusive search.

The opposition is against the videotaping of intimate searches. The opposition was unsuccessful in another place in its attempt to delete the videotaping provision from the bill, so we will not detain the House by failing to prevail again. The opposition supports the rest of the bill.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the honourable member for his contribution.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

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

Page 5—

Line 19—Leave out 'of the search'.

Line 24—Leave out 'of a search of the detainee' and insert 'made'.

Page 6, after line 15—Insert new subsection as follows:

(5a) No civil or criminal liability is incurred by a person who carries out, or assists in carrying out, a procedure under this section for an act or omission if—

(a) the person genuinely believes that the procedure is authorised under this section; and

(b) the act or omission is reasonable in the circumstances.

Under the bill a video recording will be made of the search or of the written record of the search being read aloud to the detainee. While the bill provides that a video recording made under the section can be played to the detainee and/or his or her legal adviser, the detainee is only entitled to obtain a copy of the videotape of the search. This is an oversight. The government believes there is no justification for allowing the detainee to obtain a copy of the video recording of the search, but not allow that person to obtain a copy of the video recording of the written record of the search being read aloud. This amendment and the following amendment therefore rectify—

Mr Atkinson interjecting:

The Hon. I.F. EVANS: Yes. There has been an oversight in the bill. Currently a video recording is made of the search or of the written record of the search being read aloud to the detainee. While the bill provides that a video recording made under the section can be played to the detainee and/or his legal adviser, the detainee is only able to obtain a copy of the videotape of the search. The way the bill is currently written does not allow for a videotape of the written record being read to the detainee. This amendment simply provides for the detainee to obtain a video of the written record being read to them. The second amendment is consequential on the first amendment. The last amendment simply provides that:

No civil or criminal liability is incurred by a person who carries out, or assists in carrying out, a procedure under the provisions in this bill for an act or omission if—

(a) the person genuinely believes that the procedure is authorised under this section; or

(b) the act or omission is reasonable in the circumstances.

While the police officer may be assisted by another person during the search, and of course a medical practitioner or registered nurse (as the honourable member mentioned) may be involved, these parties are not given immunities and liabilities for acting in good faith. This amendment will insert such a provision and is based on an equivalent provision in the Forensic Procedures Act.

Mr ATKINSON: I am trying to follow these amendments. If the amendment is that the detainee receives, when he buys the video, a video of the search of himself and the police reading to him his rights and duties under the act, the opposition can support that. I take it that the government is moving this amendment because it wants to say, 'We are not only selling a video of the search. If you want a video of the search, you have got to take a copy of the police reading your rights and duties to you as well.' If that is the purpose of the amendment, then I support it. If the purpose of the amendment is something else, I would like to know what else it is.

The Hon. I.F. EVANS: The advice to me is that you can get either a video recording of the search or a video of the written record of the search being read aloud to the detainee. If for some reason the search is not videotaped, then there is a written record of that search; it is read to the detainee and a video of that written record being read to the detainee is made; that is then made available to the detainee as their record.

Mr ATKINSON: I apologise to the committee because I have not seen these amendments until just now. I take it that

the minister is saying that there are some circumstances, such as urgent circumstances, where the search is not videotaped, but after the search, the police, when they have videotaping facilities, will read to the detainee a narrative of what occurred during the search; the video camera is on the police officers and the detainee; and I presume the purpose of that video is to see whether the detainee indignantly denies the assertions in the police narrative. If that is the case, the opposition can also support that.

The Hon. I.F. EVANS: Yes; that is a fair summary.

The ACTING CHAIRMAN (Mr Hamilton-Smith): The question is that the amendments be agreed to.

Mr ATKINSON: I rise on a point of order, sir. We have three amendments, two of which are cognate and one of which is not. Are we able to authorise all the amendments on the one vote? I am sure your assistants the Clerks will have strong opinions on these matters, as they always do.

The ACTING CHAIRMAN: If that is the wish of the committee, it is perfectly in order to agree to all three amendments.

Mr ATKINSON: I seem to recall when the Minister for Government Enterprises and I wanted to amend a bill in a certain way, the Clerks and their accomplice, the Chairman of Committees, were determined to stop us. But you are saying we are free to commit this irregularity?

The ACTING CHAIRMAN: Of course, the committee is free to do whatever it chooses. I seek the will of the committee to agree to all three amendments in cognate.

Mr ATKINSON: Very well.

Amendments carried; clause as amended passed.

Clause 4 and title passed.

Bill read a third time and passed.

JURIES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 June. Page 1415.)

Mr ATKINSON (Spence): Once a jury is empanelled, it is important to stop its members straying, especially after it has retired to consider its verdict. Jurors should not be subjected to external influences in deliberating and arriving at their verdict. The Attorney tells us that in the past 10 years 31 South Australian juries were detained overnight; and of these 28 were detained for one night, two for three nights and one for seven nights. Juries used to be confined to court once the trial had started and were deprived of food and heat to speed their deliberations. These deprivations have been relaxed with predictable consequences.

In the Queensland case of Fielding, a police officer charged with keeping the jury together at their hotel was found drinking intoxicating liquor in the corridor and chatting with some of the jurors. The jury's verdict was set aside and a new trial ordered. In the South Australian case of Goodson, after the jury had retired to deliberate, a juror left the room to speak to 'people'. He was not readmitted and the 11 remaining jurors continued, delivering a guilty verdict. An appeal court set aside the verdict because there was a reasonable suspicion that the accused had been prejudiced by being deprived of the deliberative powers of a full jury.

The SPEAKER: I remind cameramen of the rules of filming in the chamber, that is, you film only members on their feet speaking.

Mr ATKINSON: In the English case of Alexander, the jury retired to consider its verdict. One juror returned to the courtroom to fetch an exhibit. That juror was stopped by a court official, but no conversation took place. The court held that the irregularity was so minor it did not justify discharging the jury.

Of late, the rule has been relaxed regarding the part of the trial before deliberations begin. The bill before us extends that relaxation to the period after deliberations begin. It has been prompted by the 1998 Annual Report of the Supreme Court. The court's remarks were, in turn, prompted by the murder trial R v. Preston & Gillard. The trial went for a long time, and after final deliberations had started a juror asked to be excused for a short time to attend a funeral. The government bill inserts a new section 55 in the Juries Act, as follows:

(1) The court may, if it thinks there are proper reasons to do so, permit the jury to separate.

(2) Such a permission may be granted even though the jury has retired to consider its verdict.

(3) When the court permits a jury to separate, it may impose conditions to be complied with by the jurors.

These conditions would include an obligation to reassemble and a prohibition on discussing the case with people not in the jury. I think the bill gives the judges too much discretion and that we ought to make the discretion subject to firmer principles.

Separation after final deliberations have started should be the exception and therefore harder to obtain. The Law Society's Criminal Law Committee has suggested that these requirements be placed in the bill. If separation is to be sought before the jury retires to consider its verdict, the jurors should always be told that they are prohibited from discussing the case with anyone but a fellow juror. If separation is sought after the jury retires to consider its verdict, this should be on exceptional grounds only. In hearing a request, the court should give due weight to the public interest in the jury process not being delayed, interrupted or contaminated, or appearing to be contaminated. Before granting such a request, the court should hear submissions from the accused and be convinced that undue hardship to the juror outweighs the public interest.

The Attorney-General and the Chief Justice argue that it goes without saying that trial judges would always do these things without their being mentioned in the legislation—I hope so. The opposition was unsuccessful with an amendment in another place to spell out these matters, so I will not detain the House by failing to prevail again.

When the bill was before the other place, the Attorney introduced pages of amendments that were more important than the bill itself. These changes would allow one, two or three extra jurors to be empanelled at the start of a trial. This would be insurance against a mistrial should jurors be lost owing to the trial's lasting a long time. South Australian juries of 12 can continue deliberating although they lose one or two jurors for whatever reason, but if the jury is reduced to nine the trial must be aborted and a new trial held. If at the end of the evidence and argument the court finds itself with 13, 14 or 15 jurors, the excess jurors would be balloted out provided that if the jury elected a spokesman or a foreman that juror would not be in the ballot. The number of peremptory challenges allowed to each party remains at three. The opposition supports the bill.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the honourable member for his contribu-

tion and his cooperation in not seeking to move in this place the amendments that were lost in the other place.

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

APPROPRIATION BILL

Adjourned debate on motion of Hon. M.R. Buckby:

That the proposed expenditures referred to Estimates Committees A and B be agreed to.

(Continued from 29 June. Page 1567.)

Mr FOLEY (Hart): As the shadow treasurer—and I think I have unlimited time—

The SPEAKER: If the honourable member is the lead speaker, he does.

Mr FOLEY: Yes. Thank you, Mr Speaker. Tonight, I will detail the outcome of the estimates committees at the conclusion of the budget process as the budget for the year 2000-01 is brought down. I begin my remarks by reflecting on events in recent hours and days in this parliament. This government is an absolute disgrace; it is an embarrassment to good governance in this state. At the conclusion of a very long session of parliament dealing with the budget, which is the most paramount piece of legislation in any given year to be dealt with in this parliament, we have yet again the example of an incompetent government which is simply incapable of providing stability and good governance for this state.

I refer to the events of the past week. We saw the terrible, embarrassing and damaging mistakes of the ETSA bungles and a Treasurer who is incompetent and incapable of properly managing the ETSA lease-sale process. That began the process. Last week, we saw the debacle over the racing corporatisation bill which set the scene for the events of today with the TAB bill, and this week we have seen further fallout ramifications of the ETSA bungles and mistakes culminating in the Ports Corporation sale legislation being unable to proceed last night not because of the opposition but because the government does not have the numbers. That legislation did not proceed because the government's own backbench revolted over aspects of the ports privatisation.

Today we have seen attempts by the government to rush through legislation dealing with the sale of the TAB and the Lotteries Commission withdrawn at the eleventh hour with a very embarrassed and incompetent Minister for Government Enterprises blaming the Independents for not being able to proceed with that legislation. If that was not this government at its worst, if that was not an embarrassing, incompetent government incapable of managing the affairs of the state, what have we seen tonight? Tonight, as the Leader of the Opposition said earlier today, we have seen a government, perhaps the first in Australian political history, voting itself out of a majority.

This is a government which made grand statements when the member for MacKillop (Mitch Williams) was brought back into the party giving it 24 votes and stability. Tonight, the member for Hammond (Peter Lewis) has been cut adrift by this government to sit on the cross-benches with the Independents. If you thought you had an unstable government in 1997 at the last state election, you have an even more unstable situation now with the member for Hammond filling the cross-benches. This is a government in terminal decline. It has effectively assassinated one of its own in the parliament tonight. It has voted itself into a minority government.

And where is the Premier? If this were not bad enough, if we had not had the terrible mistakes with ETSA last week and the three major privatisation bills in excess of $1 billion worth of potential proceeds to the state Treasury, you have assassinated a member of parliament tonight and voted yourselves into a minority. And where is John Olsen? I will tell you where John Olsen is: he is having a cuppa with the Queen in England. What a—

The SPEAKER: Order! The honourable member is getting away from the Appropriation Bill now. I would ask him to return to the debate.

Mr FOLEY: Far from being away from the appropriation debate, I am very much in the loop, and I will tell you why, Mr Speaker.

The SPEAKER: Order! The chair will decide that. I would suggest that the Premier having tea with the Queen has nothing to do with the Appropriation Bill.

Mr FOLEY: Why it is important to highlight that the Premier would rather have a cup of tea with the Queen—

The Hon. I.F. EVANS: I rise on a point of order, sir. The honourable member is clearly defying the ruling of the chair. He is now debating the chair on your ruling.

The SPEAKER: The chair is listening carefully to the honourable member trying to explain himself. The reality is that the chair has made a ruling, and the chair is conducting the proceedings of the House.

Mr FOLEY: The fact that the Premier would rather have a cup of tea with the Queen at the point in this parliamentary cycle when we are in here debating appropriation and a very important state budget I think is appalling. The Premier would rather have a cup of tea with the Queen and be in London at the banquets and official functions with his mate, John Howard, than be here presiding over the appropriations and the budget and at a time when his whole legislative agenda is off the rails, when he cannot get important government bills through the lower house of the parliament. To cap it off, when he is in London having a cup of tea with the Queen he has witnessed from afar his government voting itself into a minority. When we are debating the conclusion of the budget process—the appropriation—in this House, with government legislation unable to get through the parliament and withdrawn at the eleventh hour, has there ever been a more absurd situation than seeing a government voting itself into a minority?

The Acting Premier said today that he rang the Premier last night and said, 'John, don't work too hard; take it easy; get plenty of sleep.' This is a mickey mouse government. It is an appalling government that has given up any right to the Treasury benches in this state; it is hanging onto government in name only, by the loosest of threads. It is a political party that does not deserve to be governing in this state. The minister and other members can shake their head, but that is a fact. This government is rapidly losing its legitimacy. Tonight we want and need to debate the budget of South Australia—the most important piece of legislation in this parliament—and we have ministers who are shaking their head (they are probably as bewildered as all of us with the events of the past three or four hours); can there be a more ridiculous position for any government to be in? I am disappointed, because we should be debating other important financial matters here; we should be debating the TAB, lotteries and ports legislation—but they cannot handle it. What happened in their room tonight? They huddled away for an hour or so tonight. We know there was one vote in the

caucus for Peter Lewis, and also that one member abstained. We know the member who abstained—

The SPEAKER: Order! I bring the member for Hart back to the bill. He knows as well as I do that he is proceeding into an area that has nothing whatsoever to do with the Appropriation Bill.

Mr FOLEY: When the Appropriation Bill is passed, having a viable government with a majority is very important. But, as we know tonight, we are told that one member did not even vote, but abstained from voting.

Mr HAMILTON-SMITH: I rise on a point of order, sir. You have ruled that the member should address the subject of the debate. He is clearly straying from the debate, and I ask that you call him to order.

The SPEAKER: I uphold the point of order. The honourable member has been here long enough to know the rules. I know the honourable member has unlimited time, but he will not like being interrupted. The chair does not like interrupting the honourable member all the time. I suggest he observe the rules of debate and adhere to the Appropriation Bill.

Mr FOLEY: The appropriation and the budget of this state are all about governments having the confidence of the floor and commanding a majority. In the very week we are debating the Appropriation Bill this poor excuse for a government—this incompetent, divided, fractious government—could not deal with three major bills to manage the state's finances.

Mr HAMILTON-SMITH: I rise on a point of order, Mr Speaker. I draw your attention to the same issue: you have made a ruling and the honourable member continues to flout your ruling by straying from the subject of the debate.

The SPEAKER: I remind members that this debate on the Appropriation Bill is about their observations in Estimates Committees A and B and bringing them to the attention of the House. It is not about straying outside these financial matters.

Mr FOLEY: This is a week for debating the appropriations.

An honourable member: Well, do it; go ahead, then.

Mr FOLEY: If the Speaker is not happy he can name me; he has that right. The Speaker can look after himself and can make that call if he wishes to name me, and we will see what follows from that, but I will make this point: I will talk about the committee proceedings two weeks ago and the chair of one of the committees, Mr Peter Lewis, the member for Hammond. I watched and participated in much of the estimates committee proceedings of this parliament, but tonight's debate is not just about the committee process, and to say so is nonsense. Tonight is the final debate on the budget.

Mr Meier: Exactly!

Mr FOLEY: I thank the member for Goyder; I appreciate his wisdom. I will talk about the passing of this budget, because it is all about the confidence on the floor of this House. Tonight you are barely hanging onto confidence. I apologise to the honourable member if I am speaking too loudly. I will say this to the government: you are a government in terminal decline. It is a great tragedy that tonight as an opposition we are not able to engage the government in wholesome debate about the budget. How can I debate the budget with members opposite when their mind is not on the budget? Their concentration is not on the budget; they are not serious about the budgetary process. The budget, finance, appropriation and the estimates committee process are irrelevant to this government. As I look back on those committee meetings I see that this government is not serious about the appropriations for the budget of this state: this government is out of control and unable to run the state; it would rather have its head of government sipping tea with the Queen than in here providing stable, solid leadership. I think that is a very poor reflection on this parliament, on the financial needs of this state and on the budget process as we go through it.

If members want to talk about the estimates committees I am happy to talk about them. As it has done year in, year out with the estimates process, the opposition has uncovered government mistakes, maladministration and incompetence, day in, day out; story after story; example after example. This government is incapable of managing the state's finances, and its ministers are not able to withstand scrutiny.

The Hon. D.C. Kotz interjecting:

Mr FOLEY: Here is the junior Minister for Aboriginal Affairs; I would have thought that by now the member for Newland would sit there quietly and not interject. How embarrassing—

The Hon. D.C. Kotz interjecting:

Mr FOLEY: The minister asks where we made a hit. Minister, I think the hit was made quite effectively by the member for Kaurna. Your ability to withstand the critique of the member for Kaurna was evident in the fact that you have been demoted to the junior outer ministry.

The Hon. D.C. Kotz interjecting:

Mr FOLEY: Dorothy, we don't bother with you; you are small fish.

The Hon. M.K. BRINDAL: Sir, I rise on a point of order. I thought that standing orders required that remarks be addressed through the chair, and I am not sure that it is parliamentary to refer to someone as a fish.

The SPEAKER: Order! There are two points of order. First, remarks are directed through the chair and, secondly, the member for Hart will refer to members opposite by either their ministerial title or their electorate, and desist from this practice of using Christian names.

Mr FOLEY: I apologise, Mr Speaker. Do you have a ministerial title, or are you a parliamentary secretary—I cannot remember?

The Hon. D.C. Kotz: It shows how much you are interested in—

Mr FOLEY: Is it parliamentary secretary? The parliamentary secretary for—what is the portfolio? Local government? The parliamentary secretary for—

The SPEAKER: Order! The member will not come in here and insult ministers of the Crown. He knows as well as I do that the minister is a sworn-in minister of the Crown and should be respected as such.

Mr FOLEY: I apologise, sir, for getting it wrong. I just forgot what the minister's—or the member for Newland's—role was. Is she a minister of the Crown?

The Hon. D.C. Kotz: Yes.

Mr FOLEY: But not Executive Council?

The SPEAKER: Order! The member is insulting the minister.

Mr FOLEY: Well, I am. I apologise if the minister is insulted: it sort of just happens. I apologise. Anyway, I am getting distracted. The point of the exercise is this: the government, during the estimates committee process, as usual, was caught out day in and day out with maladministration and, indeed, financial mismanagement. We heard the Treasurer's admissions of the enormous amounts of money spent on consultants—in excess of $90 million was spent on

consultants in the sale of ETSA. And we can see what $90 million gets you: $90 million of consultants gets you big mistakes.

The member for Newland can chuckle. The member for Newland may find mistakes funny. But I would suggest to the minister, the member for Newland, or whatever her title is, that it is very disappointing for the taxpayer when government mistakes lead to losses of any order—as you have lectured us about year after year.

The Hon. D.C. Kotz: You lost.

Mr FOLEY: I lost?

The Hon. D.C. Kotz: Yes.

Mr FOLEY: Oh! I say to the member for Newland, through you, Mr Speaker, the parliamentary secretary, or minister: you keep raising the State Bank. Parliamentary secretary, you keep raising the—

The Hon. D.C. Kotz interjecting:

Mr FOLEY: I am going to call you parliamentary secretary, whether you are or not, because I reckon that is about your ability.

The Hon. M.K. BRINDAL: Sir, I rise on a point of order. I believe that members of parliament must be referred to either by their seat or their title, and not what the member for Hart chooses to call the member for Newland. He simply has to call her the member for Newland or else the Minister for Local Government.

The SPEAKER: Order! I ask the House to observe the standing orders. The member knows full well the title of the honourable the minister, and I expect him to show some courtesies in the South Australian parliament.

Mr FOLEY: Thank you, sir. The member for Newland, the junior minister, the member of the outer ministry, the person who does not sit in cabinet, was given a junior ministry because the Premier still owed her: after the incompetent job she did in environment, she was booted to the outer ministry, the very last spot—although I am told that she has a car every night. Having been told that the junior minister would not have a car, we are told that there is always a white car to pick her up, and there is always a white car to bring her in. I was told at the beginning of this process of having 15 ministers that, in fact, they would not have a car—that that would happen only when they had special requirements for such.

The Hon. D.C. KOTZ: I rise on a point of order, sir. I believe that I am being totally impugned by the member for Hart. If he had really been looking outside, he would have seen the yellow and the orange and the white taxis, not a white car.

The SPEAKER: There is no point of order.

Mr FOLEY: The minister, I am sure, gets a taxi home after 9 o'clock. But we are told that the minister makes much use of—

The Hon. D.C. Kotz interjecting:

Mr FOLEY: Well, it is—the budget line for government cars. I am told on very good authority that the parliamentary secretary—sorry, I mean junior Minister for Aboriginal Affairs—uses government chauffeured cars at every opportunity. That does, of course, fly against what the Premier—

The Hon. M.K. Brindal: I would be very careful talking about who uses cars for what purpose, if I were you.

Mr FOLEY: Why is that, minister?

The Hon. M.K. Brindal: Because the current opposition might not be entirely without fault.

Mr FOLEY: If the Minister wants to make threats, he should follow through with them. Do not make them: follow through with them. That is always an important rule, Mark. The point of the exercise is this: I am simply highlighting the fact that when the Premier appointed junior ministers they were not to have government cars, and all I am saying is that the parliamentary secretary, the junior Minister for Aboriginal Affairs, we are told, uses one on a full-time and very regular basis.

The Hon. M.K. Brindal: Why don't you ask the deputy leader who uses her car when she's away?

The SPEAKER: Order! The Minister for Water Resources will remain silent.

Mr FOLEY: We can tit for tat if you want to.

The Hon. M.K. Brindal interjecting:

The SPEAKER: The Minister for Water Resources, I bring you to order!

An honourable member interjecting:

Mr FOLEY: A very normal practice: it is about who has a car assigned to them.

The appropriation process saw us scrutinise the budget, and what did we uncover? We uncovered a budget significantly in deficit; a budget that Standard & Poor's has told us will be on an accrual basis in an underlying deficit somewhere in the order (and I do not have the figures in front of me) of many millions of dollars. It is a budget that, in its full cycle in its out year, will be in the red. We know why the government wanted to push forward with the sale of the PortsCorp, lotteries and the TAB. It had nothing to do with competition or the strategic needs of the state: it was about this government getting its hands on an extremely large amount of money. And why? Because its knows that its budget next year will not come in in a surplus position.

The government will need more cash to improve the bottom line and it wants as much money as it can get to pork barrel before the next election. The government was prepared to sell in excess of $1 billion of public assets for its base political purposes in the lead-up to the next state election. We will stop that. We have already achieved much of that in the course of the last 48 hours. But this is a government that is shameful, a government which knows no honour and which would sell a billion dollars worth of public assets simply to pork barrel its way to the next election. South Australians would not want an opposition to allow a government to do that, and this is an opposition that will not allow a government to do it. It is a government desperate to hang onto office; it is incapable of offering good governance and good policy; and the only options it can see are to sell, sell and sell, and to use that money to fatten the bottom line of the budget and to attempt to buy its way back into office. Well, we will not allow that to happen.

An honourable member interjecting:

Mr FOLEY: I do not think I have to talk about this government being swept from office, because it is doing it under its own steam. It does not need us to sweep it from office. It is the only government in Australian political history to take a vote to vote itself in with a minority government. I did not think that I would see anything more bizarre than knocking off a leader, as happened with Dean Brown some years ago, when he had just one bad poll which was a better poll than John Olsen has ever had. I did not think that I would see anything more ridiculous than that in this place—until tonight. Some bright spark said, 'How can we do something sillier, more devastating and more dopey than what we did when we knocked off Dean Brown? I know what we can do. We can vote ourselves in with a minority.' And this is a government which wants the respect of the people of

South Australia; which wants us to pass its budgets and its appropriations; and which wants us to give it passage with respect to important legislation. But this is a government which, time and again, does not honour the name of good government; and which does not provide this parliament with the stability and control it needs for us to pass the budget and the appropriations, as we are debating them now.

I would like to be able to stand here tonight and say, 'Look, we have our political differences with the government, but at least South Australians can have the confidence that it is doing what it considers to be right. Whilst we may not totally agree, we, the opposition, will give way to the government and allow its legislation to pass.' Nothing would please me more, as a member of the opposition, to be involved in constructive dialogue such as that. But we cannot do so. This is a government that does not enable an opposition to treat it with any form of respect, given the shameful way in which it conducts its own affairs.

It is a telling moment that tonight, when we debate the appropriations and conclude the budget process, I find myself giving a critique on the government and the way it is incapable of handling its own affairs. It is highly disappointing and regrettable that our state is plunged into political chaos. We have before us for the next 18 months, if the government lasts that long, a period of great instability. This is now the most unstable government in South Australia for tens of years, if not for 30 years. This is a government of such unstable character that I do not know what will transpire over the next 18 months. But if members thought that this government was unstable post the 1997 state election, it has plunged much further down—

Mr Conlon: At least Mitch might get a better seat.

Mr FOLEY: At least Mitch can move along a little.

Mr Condous interjecting:

Mr FOLEY: You are building up on our debt? You are going to be running up more debt? I am glad the member for Colton is showing some honesty about the budget process. At last the member for Colton is showing some honesty about the budget: he says that this government is building on this state's current debt. Member for Colton, thank you for your honesty. At least when the member for Colton leaves this place he can do so with a little credibility. It is very disappointing that tonight we are debating the passage of the Appropriation Bill against the backdrop of a government in chaos—a government that has all but lost the confidence of this parliament.

I know one person tonight who is probably monitoring events very closely. It is someone who, I am sure, would be asking his advisers to brush up on constitutional law, and, of course, that is the Governor of South Australia. I suspect that Sir Eric Neal would be brushing up on constitutional law as we speak because it is quite likely that the Governor of this state will be called on to make some deliberations about the affairs of this state in the next 18 months. I know that it is not proper for me to say too much about the Governor, except to say this: I wish the Governor and his advisers well in brushing up on constitutional law because the way in which this state is headed the role of the Governor could sharply come into focus over the next 18 months as this government lurches from mistake to mistake, from bungle to bungle.

I conclude on these few words spoken by no current higher authority in this state than the Acting Premier. I say to all members: don't work too hard, enjoy yourselves and get plenty of sleep. That was the Acting Premier's advice to the Premier of South Australia as he headed off to Buckingham Palace to sip tea with the Queen as his government disintegrates in this very chamber and this state is plunged into political turmoil.

Mr WRIGHT (Lee): During the estimates process I asked a range of questions of Minister Evans about Football Park. As we all know, Football Park has been an icon in sporting circles in South Australia for many years. It opened in 1974. Obviously, it has served the football community extremely well. Football Park's current capacity is 47 000 people and last November the Premier announced that the government would contribute $7.65 million to a new northern stand. Of course, Labor took this proposal to the last election and it is something that, for a long period, had been discussed in political circles.

Undoubtedly, the announcement of November last year (in part any way) was as a result of the opposition's support in the lead-up to the last state election and subsequent to that. In a genuine and bipartisan way the Labor Party supported the Premier's announcement and we maintain our support for that project that was announced in November last year. We were unable to locate in the budget a budget line relating to Football Park. I asked the minister where it appeared in the budget and the minister replied:

> This is a project of the Premier's, but I understand that there is an income stream from football through the sale of the land, which has been mentioned, and then there is a payment over a number of years, perhaps five or six, but there is no payment up front this year, and that is why it will not reflect until the budgets of future years.

In estimates we had the Minister for Recreation, Sport and Racing confirming that the line did not appear in that year's budget but that it would appear in subsequent years. Of course, that is sometimes the way it occurs. The minister further said:

> My understanding is that the cash flow of the project means that government expenditure does not pick up until future years.

It is hard to comprehend because the project has started; presumably money has been committed. This project for a new northern stand has a number of components: the government has committed $7.65 million; the South Australian National Football League is committing $3.5 million; and the AFL is committing $1.5 million, making a total of $12.65 million. In addition, the South Australian National Football League is borrowing $2 million from government to purchase land on the eastern side of Football Park for car parking. I am talking about the northern grandstand, which has been identified as a $12.65 million project.

In estimates the minister confirmed that the line was not in the budget, yet the next day the Premier said that it was in the budget. He also said that it was a loan. This point needs to be clarified because never before, until that day, had the Premier said anything about this being a loan, and I am specifically talking about the $7.65 million that the government is contributing to the northern grandstand—not the $2 million that the South Australian National Football league is borrowing from the government. When the Premier issued his press release in November last year, he said:

> The new grandstand will guarantee home-game seating for the 6 700 South Australians currently on the Adelaide Crows season ticket waiting list.

The Premier further stated:

> The state government will contribute $7.65 million. Construction of the new grandstand will start in August 2000 and is expected to be completed within 12 months.

It needs to be established and clarified just where this money is. Certainly we do know that there is no budget line in this year's budget against Football Park. Whether it appears in some other place without that name attached to it is what the government needs to establish. The government also needs to clarify whether this is a loan or a grant. The press release issued in November last year made no mention of its being a loan, yet the day after we raised the matter in estimates the Premier, in an interview with the media, said that it was in the budget (and it may well be), but he also went on to say, 'This is a loan'.

That is the first time that any mention has ever been made that this $7.65 million is a loan. If it is a loan, what type of loan is it? Is it a loan that will be repaid or is it a loan which is being granted for a 99-year period and which is never to be repaid and, if that is the case, why has it been done in that way? Has it been put in that fashion because the government did not want the project to go before the Public Works Committee, or is it because the government did not want it to appear in the budget? Precisely what type of financial arrangement do we have? It is the responsibility of the government to come forward and identify to the taxpayers just how this project is being financed.

Where is it in the budget, if in fact it is in the budget? If it is in the budget how much is coming out this year and what are the forward estimates for this budget line? Is it a loan? If it is a loan, what are the repayment schedules expected of the South Australian National Football League? My expectation and my prediction is that it is not a loan—and I am sure that that is the expectation of the South Australian National Football League. It is my expectation that this $7.65 million will never be repaid, that the government has put this down as a loan for a specific reason, and part of that reason—and there may be other reasons—would be to avoid its going to the Public Works Committee. That is not good enough. For the first time after it was raised in estimates, the government, through the Premier, steps forward and says that this money is a loan. That was never mentioned before. It is my estimation that this is not a traditional loan in the true sense but a grant as it was always expected to be. I do not expect that this $7.65 million will be paid back by the South Australian National Football League, and I do not think it expects that to happen, either.

We need to go a step further. The northern stand at Football Park will accommodate an additional 7 000 seats. As part of that—as has been stated in the Premier's press release—6 700 of those seats will go to Adelaide Crows season ticket holders, and another 300 seats will go to the corporate sector. As a member of the South Australian National Football League, I received some notification about how this will all pan out. I am given the option that I can convert from a category 1 or category 2 member and go into the northern stand. Of course, the other option is for those people who are on the Crows season ticket holder list. What is taking place is that the government is putting in $7.65 million of taxpayers' money and all those seats are being made available to Adelaide Crows season ticket holders, and the other 300 seats are going to the corporate sector. Yet the AFL, which is putting in $1.5 million, made its money conditional upon 2 000 extra seats being made available for the general public on any given AFL match day—not in the northern stand but another section.

What seems somewhat astounding is that the South Australian National Football League, the AFL and the government are all putting money into this project but that the AFL puts in $1.5 million, and it makes that money conditional so that 2 000 seats become available to the general public. Yet the state government puts in $7.65 million of taxpayers' money and not one extra seat—and here is your answer—will be for the general public. Every one of those seats, obtained as a result of the state government's putting in $7.65 million of taxpayers' money, will go to Adelaide Crows season ticket holders who are on the waiting list. If you were the Adelaide Football Club, you would be sitting back, rubbing your hands together and saying, 'What a beautiful deal this is.'

I do not blame the Adelaide Football Club, nor do I blame the South Australian National Football League, because if they deal with such an amateur mob as this, who put in $7.65 million and do not worry about or give any consideration to the general public—they sit down and say to the Adelaide Crows that all those seats can be made available to season ticket holders of the Adelaide Crows—bigger mug the government! What a mug government this is. We have another example of this government's failing the general public. Good luck to the South Australian National Football League, which has done a fabulous job for football in South Australia, by being able to sit down and negotiate an agreement with a government of this nature that could not care less about the general public. This government is prepared to put in $7.65 million of taxpayers' money and not ask as a part of the negotiation for one additional seat for the general public. What a great deal that is for the Adelaide Football Club. Congratulations to it. What a great deal that is for the South Australian National Football League.

I bet that the AFL, the Adelaide Football Club and the South Australian National Football League have never sat down and negotiated with such rank amateurs as this mob. I bet they cannot believe their luck. The AFL put in $1.5 million and it gets 2 000 additional seats for the general public. This mob puts in $7.65 million and not one additional seat is for the general public. This is another example of a dud government and a dirty deal. Good luck to the South Australian National Football League which, as I say, has done a fabulous job for football in South Australia. It is not responsible for this. Good luck to the Adelaide Crows. They are not responsible for this, either. This mob opposite could not even negotiate one additional seat for the general public after putting in $7.65 million of taxpayers' money. This government does not care about the general public. This government has sat down and negotiated with the South Australian National Football League and the Adelaide Crows. What a beautiful, sweet deal it is for the Adelaide Crows—and good luck to them and good luck to those people on the waiting list—and for the South Australian National Football League—and good luck to it as well—

An honourable member interjecting:

Mr WRIGHT: You're out of your seat. You're back there, China. That's your spot back there. We have another example of this government's not being able to negotiate on behalf of the general public. We have an example of the government's striking up a deal, spending $7.65 million of taxpayers' money which cannot be found in the budget lines. The Minister for Recreation, Sport and Racing tells us it is not there this year, even though the project has started. The following day, the Premier tells us it is in the budget and, for the first time, tells us it is a loan. This is not a loan in the traditional sense, and the Premier should come back from London immediately and explain to us the deal he has done. Why has he not made this what all other grants have been

with respect to organisations? The reason why he has done this is to keep it away from the Public Works Committee. That is the reason why he is now calling it a loan. That is what this is all about.

The opposition led the charge for the project at Football Park. In leading that charge for this project, the opposition was about making some additional seating available to the general public, and the general public should get at least some of those seats in the northern stand as a result of $7.65 million of taxpayers' money that has been put into that project. More than 50 per cent of the money put in has been put in by taxpayers, and they cannot even sit in the seats. They cannot get one seat. In conclusion on this topic, I would like to say that the Adelaide Football Club and the South Australian National Football League must be laughing themselves all the way to the bank. The Adelaide Football Club has one of the sweetest deals I have ever seen in negotiations when it comes to getting money from the government indirectly as a result of this money being put into the northern stand, because 6 700 of the 7 000 seats will go to Adelaide Football Club season ticket holders. I say to the Adelaide Football Club, 'Good luck to you.' I say to all those people on the waiting list, 'Good luck to you as well, because your organisation and the South Australian National Football League have been able to negotiate with a dud government.'

We have seen example after example of that just in the past two weeks. We see this government botching up its privatisation of ETSA, getting its figures wrong, and making mistake after mistake. This is the only government in Australia that could spend $90 million on consultancies for the privatisation of ETSA and then have to bring the bill back into parliament because it has it wrong. This is the only government Australia wide that would bring bills into this Parliament and then do a backflip and take the bills out of the parliament because they cannot even command the numbers amongst their own group. This government last week brought a corporatisation bill into this parliament. It was whacked from pillar to post in here, and it was whacked from pillar to post out of this parliament by the racing industry. It cannot get it through the Legislative Council, so it wants to somersault and bring in the TAB privatisation.

Today we hear from the minister that he has listened to the opposition and the independents. No-one believes that. We know why the Government has taken out these bills: because they cannot even command support within their own party on these key bills that they bring into the parliament. This government is at death's door. It is limping into its last few months before it is shunted out of office. Indeed it will be shunted out of office, and we will see a Premier who cannot even command a majority and will be swept out of office. This Premier is the only Premier in Australia's history who dethroned a Premier who went to the people and got a majority of 37 electorates. Dean Brown, the Minister for Human Services, is the only Premier who has been dethroned by his own party after winning 37 of 47 seats.

What more do we see tonight? What is the last thing we see from this government tonight? While the Premier is overseas swanning around with the Queen, what do we see? They sacked one of their own members because he had the audacity to make a few sobering remarks about his Premier. He had the audacity to make a few sobering comments, very thought-out sobering thoughts, about the Premier who was overseas swanning around. What do they do? They sack him as well! This is the worst government in Australasian history. They will pay the penalty at the next election. The South Australian public is just waiting to get at them and, when they get the opportunity, they will not miss this government. John Olsen will go down as the biggest failure of any Premier in any state in Australia—the only Premier who deposed his own Premier who had won 37 seats in the last election.

Mr KOUTSANTONIS (Peake): I have been amazed at what has transpired today. I have a copy of the Oxford Australian Concise Dictionary and I looked up the word 'liberal'. I was sick and tired, after entering this place, of hearing members opposite telling us about how they vote with their conscience and how they speak their mind. If we look at the dictionary, we see that under 'Liberal Party—political', it says, 'Holder of humane views not confined to a political party, befitting of a free man'. This party has just executed, cut the throat, of one of its members of parliament. What was his crime? His crime was to criticise the government in its attempt to govern South Australia.

The SPEAKER: Order! I ask the member for Peake to come back to the motion before the House, which is the Appropriation Bill and examination of committees A and B. What he is straying into has nothing to do with the bill or the motion.

Mr KOUTSANTONIS: Another example of the behaviour of the government in estimates was in committee B, when we were examining the correctional services portfolio. When we were examining part of the correctional services budget, the member for Hammond had a few questions that he wanted to ask the government through the minister. The chair at that time of the meeting did not want the member for Hammond—a member of his own government—asking any questions. What did the member for Stuart do? He shut down the proceedings—shut down estimates. Why? Because they do not like scrutiny.

This government fears scrutiny. It fears scrutiny so much that it fears one of its own backbenchers. When that backbencher entered that committee room and wanted to ask some questions of his own minister about matters affecting his constituency, in a complete flouting of standing orders the chairman closed down the committee. I had been relieved from that committee at that time and was watching from the gallery. I could not believe the arrogance with which this government treated the committee. The member for Hammond simply wanted a few questions answered. He wanted to exercise his democratic right as a duly elected member of this House to question the government on the budget. We all know what the government does to its backbenchers who question its policy. We know the way that John Olsen and his cronies treat dissenters within their own ranks. We see the way they treated the Minister for Human Services—the sleazy, underhanded stabbing in the back of a Premier who won them 37 seats. When one of their own backbenchers wants to question their budget, they do not like it.

We had the absurd position in the estimates committee, as has happened every year since I have been in this House, of government backbenchers asking dorothy dix questions of their own minister on their own budget—wasting the time of the estimates committee. I find time wasting offensive; it is a waste of taxpayers' money. I saw the member for MacKillop and other members—the members for Schubert and Flinders—asking silly questions of the government such as, 'Aren't we doing a good job minister?' The Minister said, 'Yes, of course we are,' and would go on to talk about what

a great job they had been doing. We would have three silly questions in a row.

However, when the member for Hammond asked a question, it was very different. I wonder why. I think it is because the member for Hammond is the only member opposite who ever had the courage outside the party room to criticise the government's performance. How is he rewarded for that? I will tell you how he will be rewarded: he will win his seat, because the people of South Australia admire members of parliament who stand up for what they believe in and who stand up for their principles.

I understand that the government is spreading all sorts of rumours and innuendo about the desire of the member for Hammond to be appointed to an overseas post. I dare a government minister or backbencher to step outside this place and make those claims. We will not have that, because this government does not like scrutiny or the idea of being put under the spotlight. In estimates, we had the Minister for Water Resources (Hon. M.K. Brindal) with a budget of $47 million, and we were given basically half a day with that minister. We had the Minister for Education and Children's Services—who is responsible for probably one of the second or third largest allocations of money in the budget—and we only got about a third of a day with him. I do not think that is good enough.

I have spoken to members of parliament on both sides of the House about Labor's behaviour when we were in government. We were not necessarily any better during estimates, but we had a much more detailed budget. Our budgets were more concise and offered more explanations, and we detailed pieces of expenditure which the government now overlooks and does not bother with.

There has been a slow erosion of scrutiny in budget estimates by this government since 1993. The people who suffer are the electorate of South Australia, but when brave members of parliament such as the member for Hammond stand up and say to the government, 'Look, for the good of what we believe in as a Liberal party, for the sake of democracy maybe it is best we change leaders,' just like estimates, what do they do? They try to silence him. When they cannot silence him, what do they do? They throw him out of the Liberal party; they cut his throat.

The SPEAKER: Order! I bring the member back to the substance of the motion before the House.

Mr KOUTSANTONIS: When the government started out with this budget process, it came into this House with a government in majority. It walked into this House with 24 votes in the bag for its budget. The Premier has travelled overseas: not all Premiers have chosen to do this. Premier Richard Court, Liberal Premier for Western Australia, decided that the people of his state needed him to stay behind. He showed courage and leadership. He was not interested in drinking tea with the Queen; he was not interested in shopping at Harrods; he was not interested in travelling first-class to Great Britain to celebrate with John Howard while the GST was being introduced.

The SPEAKER: Order! The honourable member knows full well that we are here to analyse committees A and B and the financial implications of them.

Mr KOUTSANTONIS: Thank you, Mr Speaker. Because I find time wasting so offensive to the taxpayer, I will bring it back to estimates. This government in Estimates Committee did not answer members' questions adequately. In fact, the amount of time wasting that went on in estimates was appalling. I remember an independent-minded member for MacKillop when he first entered this place talking about how estimates committees were a disgrace. He told me outside the chamber, personally and privately, 'Estimates do not work. I can't get the answers I want. I asked the Minister for Water Resources (the former environment minister Dorothy Kotz, the member for Newland) questions about water allocation but could not get an answer.' In scrutiny during estimates he could not get an answer. He was talking about reform and changing the system. What do we get? He jumped ship; he abandoned the views of his constituents; he betrayed them and joined the *Titanic* as it was leaving port—

Mr Wright: I bet he wishes he could go back.

Mr KOUTSANTONIS: Absolutely. I have it on reliable advice that if you drive through the South-East and drive past the honourable member's electorate office you will not find the word 'Liberal' anywhere in his office; you will not find a picture of John Olsen anywhere in his office.

Mr Wright: You won't any more, anyway!

Mr KOUTSANTONIS: You won't any more, anyway. The way in which this government has handled the budget process and the way in which it has handled government business is a disgrace. The minister, Lord Armitage—

Mr Wright interjecting:

Mr KOUTSANTONIS: Probably the government's best chance of winning government at the next election is to heed the member for Hammond's advice—maybe it is the only way it can learn: maybe it is the only way it might win.

Mr Conlon interjecting:

Mr KOUTSANTONIS: I am not going to use that kind of rhetoric. I am not here to waste time: I am here to talk about substance and estimates. I do not think the member for Adelaide will have time to be Premier because 'the breath of fresh air that is Jane Lomax-Smith', to use his own words, will take care of that for us. The way in which the government has treated its own backbench is disappointing. During the ETSA debacle during question time, not one Liberal backbencher rose to his or her feet to ask a single question of the government on the ETSA process—not one. It was both the Labor Party and the Independents who asked the questions, and I find that disgraceful. Only one person had the courage and the conviction to go outside the House to say what they really thought—the member for Hammond.

Mr Wright: I thought they could say what they like.

Mr KOUTSANTONIS: As I understand 'liberal' from the *Concise Oxford Dictionary*, if that is what they believe in, they can, but obviously they do not because they held a kangaroo court convened at late notice; they expelled him; they cut his throat; they kicked him out. The Premier is in London—and what do they do? They cut his throat. I wonder what the vote was? Probably what happened is that the member for Hammond went away and had his steak before the execution because he knew what the result would be.

I hold this government in complete and utter contempt for the way in which it has handled the affairs of South Australia for the past six years. It has betrayed everyone who elected it to do its job. The minister cannot even privatise PortsCorp or the TAB: he cannot sell a glass of milk in a deli. It is an absolute disgrace. He cannot get the support of his own party. This Liberal Party is on its last legs and today was the final nail in the coffin. In conclusion, I hope, now that the member for Hammond is gone from the Liberal Party, someone else will rise to take his place and keep this government accountable.

Mr CONLON (Elder): I, like the member for Peake, am particularly averse to time wasting, although it has never been said that anything I say is a waste of time—and I must say the benchmark was established by the member for Lee the other night when he went an hour longer than *Gladiator*. This being the matter of appropriations and supply, it is called upon us to decide whether this is a fit government to which to vote supply. The great tradition of the Australian Labor Party is that it does not block supply of a government which has the confidence of the lower house. I must say the events of the past week and a half makes me wonder whether this government does have the confidence of the lower house.

I am so grateful that Lord Armitage, the minister for rapidly diminishing government enterprises, is here with us tonight because he has been in charge of the three bills on which apparently the government does not have the confidence of the lower house, those being the TAB privatisation, the PortsCorp privatisation and the lotteries privatisation. No doubt it will be explained to us that it was a good idea, but it makes me wonder what we are doing in this debate.

I have a number of concerns about the budget, the budget process and the estimates process. I addressed this issue in my second reading speech so I will not go over it again, except to say that with the government's budget we were led to have great expectations some time ago. We all remember the $2 million a day social benefit we were going to get from the ETSA sale. What we saw from the budget, as we have said earlier, was no social dividend and no fiscal management.

We went off to the Estimates Committee to examine what might reasonably be described as a dog of budget. The first thing I will say about that process is that this government is very keen, as we heard earlier, to ensure that the public, the parliament and the people of South Australia learn as little as possible about what it does. That is why every time we get a set of budget documents from this mob, they are delivered in a slightly different way so that we cannot see any continuity from the previous year. The documents last year were different from the year before. This year in the police and emergency services portfolio, for example, it is mixed in together so that you cannot tell what they have taken out of what program where.

Mr Hill interjecting:

Mr CONLON: As the member for Kaurna points out, we do know that they have taken because that is their nature. One of the areas we attempted to explore in the estimates process was that of expenditure on the government radio network. There is a little bit of history to this. During the last two estimates processes, we tried to find out where the money would come from, whether there was a line in the budget for it, and how much it would be. We had not been able to find that out in previous years and we were told that it would all become clear in time. However, the government radio network is a matter of great embarrassment for the Premier. It was the source of his side deal with Motorola which got him into a lot of trouble. So, the government did not want anyone to know about that.

This year, we found that, apparently, the government radio network is about to come on stream. All we could find out from the allegedly responsible minister, Minister Lawson in another place, was that the increase in cost from $150 million to $247 million was not a blow-out. That must qualify as one of the most extraordinary answers I have ever heard during an estimates committee: an increase in the estimated cost from $150 million to $247 million is not a blow-out! One wonders what a blow-out is in the mind of Minister Lawson.

Be that as it may, I will now address the difficulties of the process. We found in the budget documents that some of the massive amount of money raked in by the government's emergency services tax, which was to go towards paying for the government radio network, will not be used for that purpose. It has been stuck away in a fund somewhere. The explanation in the budget process was that that money was for contracts that were not finalised. The opposition and the Labor Party can be forgiven for being worried about this, because we have already seen the cost blow out to $247 million. We would like to feel confident that the contracts have been finalised and that nothing further is going to happen.

We asked Minister Lawson, the allegedly responsible minister, what these non-finalised contracts were for, and he said that everything had been finalised. When we pointed to what was in his budget and asked him whether he was making it up as he was going along, he said, 'Well, I don't know about that; you will have to ask the appropriate minister.' When asked who that person was, he said that that would be the Minister for Emergency Services. At that point, we said, 'The problem with that is, minister, that we asked him and he told us that you were the appropriate minister.'

This is the estimates process through which we are supposed to satisfy ourselves that this government, which appears to have the confidence of the lower house on only an infrequent and irregular basis, should have its appropriations endorsed. Well, the opposition can be forgiven for not having a great deal of confidence in this process because since then (putting it into context), to use the vernacular, we have seen the wheels fall off this government. Lord Armitage was unable to get the first, second or third of his bills through. He went about as well with these bills as he did with the fishing competition at Wallaroo which the journalists won. We know that he did not win that because he forgot to bring his butler along to put the bait on the hooks for him.

It was a dreadful week for the government. One had to feel a little sorry for members opposite. At times, it was a bit like watching a drowning man. As we said earlier, they were not waving, but drowning. Throughout all this, where was our Premier? Of course, he is in England. While we were trying to work out whether we should have confidence in this government, a Liberal backbencher got up and said what most people were thinking: that he is not very happy with the way things are going and that, if things continued to go on like this and leadership continued to be shown in this way, they would founder on the reef of destruction, or some such colourful phrase.

The member for Hammond was saying out loud what has been said to us privately by many members of the Liberal backbench. However, apparently members of the Liberal Party are not allowed to say things out loud. Therefore, the member for Hammond finds himself no longer a member of the Liberal Party tonight. That strikes me as ironic, but I am not disappointed, because I think they have done him a favour. I would not want to be associated with this mob either.

Mr Hamilton-Smith: What about Terry Cameron?

Mr CONLON: The honourable member says, 'What about Terry Cameron?' I would not want to be associated with him either.

The SPEAKER: Order! I ask the honourable member to come back to the motion before the House.

Mr CONLON: The motion before the House is whether we should vote for appropriation or supply for this government. I am exploring whether or not we should have confidence in this government. Nothing that we have seen tonight fills me with any confidence. The member for Hammond has been punished because he does not like the Premier. There is a precedent for that: the people of South Australia do not like the Premier and, boy, are they being punished for that!

The member for Hart referred to the fact that the Governor may well be looking up his constitutional law books. Whilst we will reluctantly vote for supply for this mob again, I sincerely hope the Governor does have call to look at his constitutional law books, because it seems to me that the only hope the people of South Australia have of a confident government in the near future is if some sort of crisis occurs in this place to bring about the early demise of the John Olsen led government.

I would love to have been there when the telephone calls were made to the Premier last night and to have heard what was said. As we heard from the Acting Premier, he suggested that the Premier not work too hard and enjoy himself while he was over there, but I am sure that a few other words were also said. What we did not find out was what the Premier said. I am sure he uttered a few colourful words about what was happening on the floor of the chamber when his Minister for Government Enterprises could not get a single bill through to completion.

This has been an extraordinary day in an extraordinary week, and it is now only Wednesday. This week is probably no worse for the government than last week was when we found out that, after paying $90 million to consultants, they had made a mistake. The government will not bother the people of South Australia with any information about how that mistake was made or, more particularly, who made it. That leads me to ask, once again, whether we are getting the whole story from this government, which does not like telling the truth or coming clean on anything. It was not my intention to speak for the full 20 minutes, so I will conclude by saying that the opposition will support supply here and in another place for this government, but we cannot go on doing this for much longer. Constitutionally, I am not sure whether this government has the confidence of the lower house any more.

Mr HILL (Kaurna): Unlike my colleagues who have preceded me, I will not address the issues relating to the member for Hammond's recent removal from the Liberal Party. I just note in passing that it is a sad state of affairs. I will talk briefly about some of the issues relating to the estimates committees.

An honourable member interjecting:

Mr HILL: I know that this is a radical departure from the normal protocol.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr HILL: I want to raise only a few issues relating to the estimates process that we have been through and highlight a number of answers given to questions that I asked of the Minister for Environment and Heritage, the Minister for Water Resources and the Minister for Minerals and Energy, because I found those answers rather remarkable. I will not go through them all, but there were a few issues involved.

First, I refer to the issue of mining in South Australia. I asked the Minister for Minerals and Energy about a recent report produced by the resources task force. In its report, that task force said that as a matter of urgency the government should provide access for low impact exploration on all lands. In other words, this report said that every piece of land in South Australia should be open to exploration. I asked the minister whether that was the position the government was adopting, and I was pleased when he replied, 'There are certainly no areas of which I am aware that would necessitate that process.'

I then asked the Minister for the Environment a similar question: 'Does the minister rule out opening up any other areas of the state that are currently protected?' The minister said, 'I can give that undertaking.' I emphasise that the two ministers are now on the record saying they will not open up any parts of the state currently protected from mining for exploration. I hope this House holds them to their word, because in the past the state government deproclaimed the Yumbarra National Park to allow exploration and potentially mining. If the government has changed its position on that, that is a good thing. I question the value of going through a task force process when the task force says that one of the major urgent things that needs to happen is for all those areas to be opened up for mining. So, was that money well spent? I think probably not. No doubt the mines and environment ministers will be answering questions from people in the business and mining industries in particular about what their words meant.

Another issue which cuts across both the mines and the environment portfolios is the area of greenhouse gas and sustainability. I find it difficult to know from the budget papers who is responsible for energy issues in relation to reducing the greenhouse gases. I understand that the Minister for Environment and Heritage is the lead minister on this issue but, when I ask him questions about it, it seems that all he can talk about is the government's greenhouse gas strategy—in other words, how much greenhouse gas the government itself will be able to reduce in running its own operations. That is 20 000 tonnes of carbon dioxide a year, which is a minuscule amount when one considers the amount that is produced in South Australia annually.

I also asked the minister for mines about this and he said I should ask the environment minister, but the minister for mines runs the Office of Energy Policy, which is the main government department responsible for these kinds of issues. He said that I should ask the Minister for Environment and Heritage, who said that I should perhaps ask the primary industry minister. So, there is obviously confusion in the government about this important issue, and I suggest that they should sit down and try to work out their overall strategy in relation to this matter.

The third issue I would refer to is that of the Honeymoon mine. As members would know, there is an issue of some controversy in relation to that mining site. The miners wish to develop the project using what is called 'in situ leachate', which is a way of dissolving the minerals which are placed in an underground aquifer, dissolving them in a weak acid solution, pumping that up to the surface, taking out the minerals and then returning the acid solution to the aquifer. I asked the Minister for Water Resources about this, and he assured me that the government would ensure through the EIS process that the aquifer is returned to its original condition. I will put on the record the minister's comment there. I said:

> When and if the minister decides to grant a licence for any bores at the Honeymoon site, can he place conditions on the licence, including a condition that the mining company rehabilitate the aquifer to the condition it was prior to drilling?

Minister Brindal replied:

It is part of the EIS process. I am assured by my officers that that is one of the conditions we would propose.

I wanted clarification, because I was asking whether it was hypothetical and said, 'Will propose?'; and he said, 'Will propose.' Once again, we will hold the minister to his word on that, and I am sure that those in the conservation movement will be interested in that reply.

The final issue related directly to my own questioning in estimates is that of Barcoo Outlet. I note that the Minister for Government Enterprises is in the chamber at the moment. I asked the minister about Barcoo Outlet and whether or not he thought it was a sensible way of proceeding. The minister said:

If I have my way, there will be a wonderful system that keeps the Patawalonga clean as a marine environment because most of he water will go elsewhere.

He went on to state:

There are two possibilities: one is an environmental wetland on Morphettville racecourse, which I will not canvass. . .

I think the other possibility he was referring to was a wetland at the airport. As I pointed out to him, his position is considerably different from that of the government, which plans to build the Barcoo Outlet at a cost of $16 million and divert treated effluent into the gulf, to the detriment of that environment. So, once again there would appear to be a conflict between two ministers over this issue. I would hope that the Minister for Water Resources prevails over that issue, because I know that many people in the western suburbs are vitally concerned about how that will be managed.

I would like to refer briefly to another issue to do with this year's budget, and that is the decision by the government, announced after the estimates committees, to impose a fee in relation to domiciliary care. Other members of this place have referred to the cost of that fee to people who are frail or disabled and the fact that some people will be paying up to $50 extra a month—in a four week period—for access to services and equipment. This is a very cruel decision by the government. It was done in a sneaky way after the estimates committees were completed so that we could not ask questions about it. Advice was sent out probably late last week, and constituents of mine and everyone who receives domiciliary care services were told that the new costs would in come on 1 July. To say that it created panic and anger is to understate the case.

I will refer briefly to some of my constituents who have written to me about this issue in order to demonstrate the passion and anger that is out there. One letter addressed to me and written on 2 July states:

Dear Sir

My wife is one of many thousands of disabled people who have enough to contend with in their daily lives, without the latest financial impost to be placed upon them. I feel that it is a heartless act, placed upon the most vulnerable and helpless section of our society. We were given less than a week's notice of this, which came as a shock followed by outrage. This came at the same time as the introduction of the GST, which does not help people with only the pension to live on. The increase we are to receive will be negated by this demand. The cap of $5 per week will be billed on a three monthly basis, which of course means $60, and will be beyond the means of many people, many of whom will not qualify for the waiver, including my wife.

The public have to put up with the millions of dollars wasted by governments, huge salary increases, which of course is never affected by funding, and incompetent consultants who cannot get it right even after being paid $90 million. Why should the disadvantaged have to help to make up shortfalls in government funding? What has happened to—and I stand to be corrected on this—the $200 million that Dean Brown had left to spend on health matters?

Our only weapon against a penny pinching state and federal government will be at the ballot box. The anger at this attack on the disabled will be far more than the money so shamefully to be taken from us and many thousands of others.

I think that was an excellent letter, written with great passion and conviction by my constituents who live in Christies Beach. They reflect the views of many people, and the anger they feel will not go away quickly and will be expressed at the first opportunity that those people get. Another constituent, this time from Christie Downs, writes:

Dear Sir

I am one of the many Australians that are annoyed with our present government; it seems the disadvantaged are always hit where they can least afford it. My husband and I each received the latest blow to our hip pockets, and now along with many others are to have charges put on our existing domiciliary equipment and/or services. It seems this Liberal government is entirely for the rich and the average man/woman don't count.

We cannot afford to have any more taken out of our pensions; even with the rise for this GST, we are no better off, and in fact it will only make matters worse. With the promise of no extra charges for health, the Liberals are very sneaky with this tax, because it will hit the ancillaries related to health services.

With the expense of prescriptions every fortnight and when (that's a big when) my husband does get to have his heart surgery, we will have the added cost of a constant care alarm that I will need because of my disability. In our situation, we are victims of not only the cost of living with this government, but the whole system.

Hospital waiting list blow-outs, equipment for the disabled waiting list blow-out; where and when shall we be able to enjoy life? The present situation is entirely unsatisfactory and we can only hope your party can give us the government all Australians can afford and live with.

This very week an article was in the *Southern Times* showing just how far some of us are stretched, when we the disabled have to go out and look for donations to help fellow disabled members of this our local community, because the Liberals don't seem to give a damn. I for one will not stand by and let them take away all our pride.

These are two very heartfelt letters which indicate the absolute anger in the community about the government's decision to impose this impost on very weak and vulnerable citizens. I believe that the commonwealth government brought this about by a budget decision some two years ago, but the way in which it has been implemented by this government at the last moment without any notice or advice is cruel and heartless. At least one of my constituents has told me that, as a result of these imposts, they have taken back to Domiciliary Care some equipment that was in vital use by the disabled husband in this case. They simply cannot afford to keep it, so they have taken it back and they will have to make do with second best or with no extra equipment at all. This is a shameful way of treating the most vulnerable in our community, and I think that it is a real indictment of the state that government in Australia has reached when these people are treated in this way. I sincerely hope that the government reconsiders this position and is able to better address the needs of this section of our community.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I move:

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

Motion carried.

Ms BEDFORD (Florey): I am grateful for this opportunity tonight to air my grievances about the estimates committees process. In particular, I would like to speak about the

opportunity that we had (or should I say that we almost had) to ask the minister concerned questions about Aboriginal affairs. After a very long day in the committee, we were allotted half an hour on Aboriginal affairs at 9.30 in the evening. While all in the chamber agreed about how important Aboriginal affairs is as an issue and that it is something that needs to be pursued vigorously by the parliament, after the minister's opening statement (which took almost 12 minutes), we were left with only 18 minutes in which to pursue the many questions that obviously needed to be asked about the budget papers. After the first question, it became apparent that we would be left with very little time.

Eventually, we were able to ask only two more questions: so, that is three in total. We asked the minister for the opportunity to place our questions on notice, and our request was refused. I must say I do not understand why there was a problem with that. In other committees on which I sat during estimates that seemed a normal procedure. The minister, in fact, brought five staff to the parliament to answer questions, and we were able to ask only three, so one must question the amount of time and effort that went into the preparation of their documents, not to mention the time and preparation that went into our questions. We consulted widely with members of the Aboriginal community and sought their input into what they themselves wanted to know. We spent several days organising the questions into a priority order so that we could obtain the information that we were looking for and, very little happened.

We wanted to ask questions, for instance, about the Heritage Act. I know that, in the past few days, the minister has answered some questions about heritage during question time, but there were many points about the Heritage Act that we wanted to clarify. We wanted to ask questions about Aboriginal organisations improving access to financial resources and employment questions for Aboriginal people, not to mention housing opportunities.

We also question the commitment of this government to Aboriginal affairs. We do not seem to be able to get a fair go on Aboriginal affairs at any time in this House: it is not given much importance at all. In fact, ministerial statements are about the only thing that we seem to hear from time to time. I would like to draw to the attention of the House the fact that there has been a motion on the paper since 13 April about the stolen generation and an apology, which came about because of the appalling debate when the federal government was trying to substantiate whether a stolen generation was 10 per cent of the population. We have had no movement on that issue and, in fact, when I made approaches about it there seemed to be some difficulty in arranging for the motion to go forward.

We also had no indication from the Premier. I asked him about putting the documents that he went to Sydney to receive in the display case here at Parliament House. These documents were presented to him during a great ceremony in the Opera House during the Corroboree 2000 celebrations, and we have heard nothing about them. I do not know where those documents have gone or where the road map is. In fact, having the documents here on display in Parliament House is an ideal thing to do so that the members of the public who come in here will be able to see these documents and better understand what the process of reconciliation is about. I might add at this point that this House was not able to fly the Aboriginal flag on Sorry Day, which I think is an appalling state of affairs.

I would like the House to note that we will have many more questions that we would like to ask or place on notice next year. We do not know how we go about that, but we will certainly be endeavouring to have more than half an hour allotted to Aboriginal affairs at that time.

Ms THOMPSON (Reynell): I rise tonight because I want to speak about the issue of public and community housing and homelessness in our community. The budget papers show that, in the forthcoming financial year, the number of Housing Trust tenantable dwellings will reduce from 53 300 to 52 350. That is a decrease of 950 houses available to South Australian families. To be totally fair, I will point out that there will be an increase in the tenantable housing available under the Community Housing Program: there will be an increase of 180 houses under this program. However, that leads to a net decrease of 770 homes for South Australian families. This sounds serious enough by itself, but when we look at it in the context of what has happened over the last few years it is, indeed, tragic.

The Auditor-General's Report for 1993 indicates that the South Australian Housing Trust at that time had 63 014 dwellings. That means that, from 1993 to 2000, we have lost about 11 000 homes for South Australians. During that time, the Community Housing Program has been developed. This is not clear from the information that I was able to establish for 1993 but, in 1994, 1 088 homes were available under the Community Housing Authority: there are now 3 230. So, there have been about 2 000 additional houses there. Overall, we have lost about 9 000 houses over the period of this Liberal government. There is this belief that somewhere the private sector will take it up. But I have to say that it has been the tragic experience of people coming into my office recently that the private housing sector is simply nowhere near taking up the slack. I want tonight to put on the record some of the personal stories behind these people who do not have homes.

Coming into this place we see the debate in the *City Messenger* about the issue of homelessness in the city. What we see there is often the image that people have of the homeless—mainly men, often with mental health conditions and often with a range of social conditions, some of whom prefer living a fairly peripatetic existence because of the damage that has been done to them in one way or another. However, these are not the people who come into my office. Down at Morphett Vale, Reynella, Hackham West and Christie Downs, the people who need houses are usually families. I know that there is a need among young people wanting to move out of home, and I know that many tensions are caused when they are not able to do it. But this is not usually who I see. It is families with children who, for one reason or another, have lost their homes. As I said, I want to tell members something about some of these people, so that the decision to just cut public housing will not be done on the basis of faceless numbers.

Recently I wrote to the Minister for Human Services (Hon. Mr Brown), setting out some of these stories, because I had reached the stage where I was writing to the local Housing Trust office with such regularity that I knew the staff must be as frustrated about my correspondence as I was. I started by telling Mr Brown that the latest person looking for a home was Mr O, who had been a Housing Trust tenant but who had released his tenancy voluntarily when his relationship with his son's mother ended. He was originally told that he had been placed on a category three waiting list as he had done

the right thing in allowing his ex-partner and their son to continue to live in the house. Mr O has been waiting for four years now but he has been told that he is no longer on the category three waiting list as the Housing Trust's policy is to take welfare issues into account, not the length of time he has waited.

Mr O needs a home for himself and his son who spends time with him. He is on a low income and is of the group of people who has traditionally seen public housing as their security and safety. He had been waiting and moving from place to place in the meantime and, having done the right thing, was hopeful of getting a house; but now, under the new policies, there is just no hope of Mr O ever getting public housing. There is no hope for him either of ever getting long-term, secure housing in the private rental market because he is not an attractive proposition.

Ms V has not been able to access a Housing Trust house despite the fact that when she applied in 1990 she was told there would be a seven-year wait. Ms V is living in fear of her former partner, who has keys to her rental property. This woman is paying a large amount for private rental and receives only a small amount of rent subsidy. She finds it extremely difficult to support a teenage daughter on her unemployment benefit. The property owner where Ms V currently lives does not deliver a high standard of service. He has not been prepared to do things such as changing the locks on the doors, despite Ms V's fears about her violent ex-partner holding those keys. The owner does not repair damage around the house, whether the damage was incurred by the former partner or it is just wear and tear.

The property is becoming run down. Ms V does not have English as her first language. She finds it very difficult to be assertive with the property owner and is only too aware that a huge list of people are waiting to take any vacancy. Basically, she puts up with what she gets. She has been hanging out thinking that, given that she had been waiting since 1990, it must soon be her turn for a Housing Trust house where she and her daughter could have a stable environment without fear of the property owner. But Ms V has been told, 'No, no hope; you are not a needy case.'

Ms R has had to move in with friends because the property she was renting had been sold. She had left an abusive relationship and can no longer provide a home for her son, who has had to move back with his father. Ms R has had to store her furniture and other belongings with friends as she has no room for them as she moves from house to house. She has been on the Housing Trust waiting list for six years. Mrs M contacted the office on behalf of her son who has been on the Housing Trust waiting list for seven years. Her son is 27, has had a few health problems and is not very socially skilled. However, he is able to hold down a secure part-time job. Mrs M and her husband are getting on. They would like to do a little travelling as they realise that their years are numbered.

They would like to see their son settled in a secure home before they do their travelling. With their fears of increasing frailty for themselves, ill health and then death, they really need to be certain that their son has a secure home and one in which he will not have to worry about dealing with and maintaining a relationship with a property owner when he is really not very socially skilled.

Another Ms V has been on the Housing Trust waiting list for about five years. She came from Geelong after a relationship breakdown and lived in a caravan for approximately 12 months. She is in Adelaide in order to be close to her family support for her two-year-old son.

She is staying with her mother, stepfather and their three children in a small three-bedroom house. This is proving very stressful for all concerned as Ms V's son has Marfen's Disorder. This is a connective tissue disorder which means that her son, Dean, falls over constantly. He becomes very frustrated as he cannot walk properly and this causes him to scream in frustration. He breaks things around the house and, understandably, this is causing considerable distress to the other family members, particularly the child's step-grandfather.

Members may know that step-relationships often involve very careful negotiating and when, suddenly, someone must deal with a sick grandchild in their home they do not find it very easy at all. Ms V has applied for about 14 rental properties in the past few months and been knocked back each time. When her mother telephoned to inquire why her daughter is not able to rent any of these properties she was informed that the property owner did not want to rent to a single mother, and this is a fairly constant story.

Ms W currently resides with various friends. This story is becoming all too familiar, is it not? She has been on the waiting list for about a year although she originally applied in 1985. Ms W has three children aged six, three and one. At the moment her mother is looking after her eldest child and the other two children are spending some time with their father. After Ms W's relationship failed she was forced to leave that residence and has been virtually homeless since. She was sharing a house with friends but that arrangement collapsed and she has not been able to afford rent by herself. She also has been told that single parents are not looked on favourably by property owners.

In this case her parents also are feeling the stress of providing a home to a grandson and the uncertainty of their daughter's future. Her mother is finding it very difficult to believe that her daughter cannot get a house. The daughter asked our office to confirm for her mother that it is incredibly difficult to get a rental property anywhere in Adelaide these days, but particularly down south. Earlier this week I visited a school to discuss the problems it is presently facing and I was amazed to discover that the major problem with which the principal has been dealing is the homelessness of two families in the school. This is quite a small school in the area.

Family one comprises two parents plus a child. They are paying $200 a week to live in a basic caravan at Aldinga. The school is located in Morphett Vale. They would like to be living somewhere close to the school but there is not even a caravan available anywhere around Morphett Vale. They have been told by property owners that sometimes they get as many as 200 inquiries about a house. Family two is a mother and two children. The unit they were renting was sold. They had plenty of notice to organise another house and the mother applied for about 30. This was very difficult for her because she has epilepsy and cannot drive—just getting out to apply for 30 houses was a major issue.

One Wednesday, the mother collapsed at school with uncontrolled epilepsy. It turned out that she was petrified about what was going to happen to her and her children the following Saturday, when they had to leave the home that they had had for the past few years. There was an amazing response from some of the mothers who were either working or volunteering at the school. Not only did they care for this person, but also they set about trying to find her a house. These mothers were just stunned that they, too, could not find a house for this deserving family. Eventually, FAYS took the mother and the two children to a Semaphore boarding house,

where they shared one room, without a lock, and the children were exposed to some very unpleasant incidents from other people at the boarding house who often did not have full command of all their senses. That resulted in the children's going to their father and the mother staying with various families at the school. The whole school took on the mission of finding a home for these two children and their mother, and they were elated on Monday to learn that one of the parents who works for a real estate firm had been successful in finding a house for this family, and they were even more elated by the fact that it was close to the school. So, of all these families, there is one happy story. However, there was much tragedy before the happy result.

Another constituent has told me that an owner was so overwhelmed by the 17 applicants who presented with absolutely perfect references and credentials that he decided that it was too hard for him to work out who would get the home, so he just drew a name out of a hat. A volunteer at the Community Information Service said that they deal constantly with people looking for houses, and she has noted that, while it is difficult for everyone, young men—even young men who are working—seem to be just not wanted in private rental accommodation and have very great difficulties getting housing.

It would be easy to make the property owners sound the villains in this piece, but I cannot blame them. Most owners of private rental accommodation in South Australia are people who have put that aside for their superannuation. They are protecting their family's future and, of course, they will look for the tenant who will be most secure and least likely to be any risk to their investment.

The problem is that there are simply not enough properties around. But is there enough money around to build more properties? The budget documents tell us that the anticipated average cost of a house for the Community Housing Association for the next budget year is $67 000. If we look further into the budget papers, we see that it is not too hard to find where some houses could come from. I have spoken in this House before about what I see as a waste of $30 million on the Convention Centre. I am opposed not to the upgrade of the Convention Centre but to turning it into an icon at a cost of an additional $30 million.

We have heard many times about the waste of $20 million on the soccer stadium, which will celebrate Olympic soccer but will just be a wasteland thereafter. Then there is the $30 million being spent on the wine centre, which was supposed to be a major tourism attraction but has not been able to get under way in anything like the right time. Meanwhile, a private wine centre has opened, and there is no clear idea where any product differentiation will come with this National Wine Centre for which we are paying over $30 million.

So, there is a rough tote of $80 million that could be used for housing. This would build 1 200 houses in one year alone. I am sure that I have 20 people lined up for the first of those houses. If only their dream could possibly come true. It is in the power of this government to do that. It can stop wasting money and start caring for ordinary people in this community who, through no fault of their own, suddenly find themselves homeless.

I have begun to believe that the old feminist saying, 'But, my dear, you're only one husband away from welfare,' has a new application to any ordinary person in this community, namely, 'But, my dear, you are but one marriage breakdown, just one illness, and just one job loss away from being homelessness.'

Time expired.

Mr LEWIS (Hammond): What a surprising and interesting time we live in. Of course, in making that remark I also draw attention to the fact that, so far as I am aware, there are now employed by government—and I am waiting for the answer to this (and I will come to that in a minute)—more people who are qualified as journalists and operating as journalists than there are by the private media in this city to report the events of the day. That can only be to put the particular spin that the government wants on the views that it is expressing, such as might have occurred earlier in proceedings this day.

I stand here now wearing quite proudly my badge as someone whom members of the Liberal Party in the parliament do not want. I am pleased and comforted in the knowledge that they do not want me to go in the same direction as they are going. At the next election the Liberal Party will be a part of history. It will be an interesting part of history, I am sure, having set out with so much promise in 1993 to rebuild the state's economy and the confidence which the international community can have in investing here, only to find in the process that too little was done too late, and then too much was done that was too bad.

It will not be my misfortune then. I draw attention to the remark that I made just a little while ago about the cost to government and to the taxpayers of spending all that money, putting together a concoction of ideas that it is hoped will fool the people—indeed, it has fooled the government—into the believing that the people believe what they are being told. In the days in which Tom Playford was here (and I know there is a vast difference in the way things are communicated these days), he had had no such entourage, and his ministers had only their own telephones—and a personal secretary, perhaps, if they were senior enough—to communicate the message, and parliament was the place in which announcements were made as to what changes in policy there would be.

The Liberal Party, quite properly, during the 1970s complained loud and long that the Dunstan government changed that by governing through what the Liberal party called government by press release—making public announcements at times that were convenient to the government's own agenda.

The Hon. M.D. Rann interjecting:

Mr LEWIS: I hear what the leader says, and history will judge that one way or another. It must have done fairly well, because it secured the re-election of the Dunstan government I think on four occasions. Notwithstanding that change which occurred, and then this occurred in other places, too, almost simultaneously throughout the 1970s, I want to draw attention to another event which crosses my mind immediately and which has some parallel tonight, in some respects, namely, that what has been done to me—a complete denial of natural justice—was never done to Edward St John or Malcolm Fraser when they set out to remove an incompetent leader in the person of John Gorton. They were at least offered natural justice and were at least given seven days notice. Damn it; I was not given many more minutes.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr Foley interjecting:

The DEPUTY SPEAKER: Order!

Mr LEWIS: The sad thing about tonight's proceedings, is that, because there are no rules, it really is a cowboy outfit—it is who has the fastest gun. There are no rules in the Liberal Party and over the 21 years I have been in parliament I have tried, as you know Mr Deputy Speaker, seven times to introduce a set of rules for which I believed there was consensus, but every time there was something more important to be done to secure victory at the next election, whenever that might come—and there always is a next election. But in this day and age, on the threshold of the 21st century, an organisation that purports to be capable of governing this state does not have the rules by which it can govern itself documented anywhere. What happens is that the decisions made are written in the minute book but never ever documented, never ever indexed. Whatever minutes somebody recalls on the spur of the moment are the basis upon which any historical precedent is determined, if it can have an influence on proceedings within the party room that I have been a member of for the 21 years.

I now wear my independence quite proudly because I know the direction in which I am going. The rules by which I will determine my position on matters of policy and importance to the people of South Australia are rules which are clearly and firmly burned into my brain by my experience in life, and my commitment to them found expression in the time I put in to helping on a subcommittee in 1973 and 1974, drafting and finally adopting in the state council the constitution of the Liberal Party, which is pretty largely the same constitution the Liberal Party has now.

In any case this budget spends a lot of money in ways that I think unfortunately do not serve the public interest well because it is wasted in duplicating the effort that is made. I said, during the course of the estimates committees and repeat here in my report on those estimates committees, that the amount of money now spent monitoring the media, both within the government and probably the opposition in a more modest way altogether, is wasted in that the parliament ought to have a central media monitoring unit as other parliaments have, and anything at all—whether it be on the radio or the television, the electronic media (that broad set of agencies)—that is broadcast or narrowcast can be picked up and catalogued by a monitoring unit within the Library, which I am sure would cost the taxpayers a hell of a lot less than the present cost burden they carry of having the huge unit that ensures that the paranoia the government has is not made worse.

So, within a minute of somebody saying something somewhere, and a minute of its being published and put on the streets, the government knows. It is proper that the government should know, but there is no reason to pay the high cost being paid. I do not know exactly what that is because the information has never been provided. As an aside, so far as I am aware this is the first occasion upon which the very week after we have finished the budget estimates committees we have come back into the parliament and immediately begun debating the report, before we have got the answers to the questions that ministers are supposed to provide. There may be a precedent, but I know more often than not there has been at least a week's break.

When I and you, sir, agreed to introduce this system in the Tonkin government, it was always intended that the estimates committees' report would be brought in and the answers from ministers brought down for a week before the parliament set out to debate those matters. It is a bit of a farce really for the information being sought in estimates committees, whether sincerely sought or otherwise, to be not available when we are expected to debate the report of those committees, which are telling this chamber the ways in which the money is to be spent in the interests of serving the public and the interests of implementing the policies the government has.

I was disappointed on the occasion that I sought to get some answers from the minister responsible for emergency services and police. On that occasion that estimates committee had not run its full course. Quite in contradiction of those sessional orders, the committee was closed down. I had been given advice on the present costs of hiring the state's helicopter, which is getting close to the end of its lease (and I was told that the lease expired this June). I wanted to ask the minister, 'When does the lease expire; how much do the police pay for it; how much do the other emergency service agencies pay for that helicopter; what does it cost them for the maintenance charges; and what really would be the cost of leasing it directly from the financial markets without paying some commission and margin to Lloyds?'

My advice is that for the amount the police are spending at present they could hire their own helicopter and run it any day, seven days a week, 24 hours a day for less than it currently costs them to be an emergency services agency partner with Sea Rescue, the ambulance service and so on—whoever has access to it, and I am not sure. I wanted to ask the minister those questions but I could not and did not. We do not have that information because, notwithstanding whatever the minister may say or write, it is not on the record. It is a good idea, as I have learned over the 21 years I have been here, to get ministers to put things on the record or to avoid putting them on the record because you know you are somewhere near the truth when they start dodging the issue. You know there is something there they want to hide.

The Hon. M.D. Rann: Can this government count on your vote?

Mr LEWIS: No government can count on my vote. From this day to the next election I will judge every issue on its merits.

The next thing I wanted to talk about is the way in which I think we have achieved quite substantial efficiencies in the production of *Hansard* and its electronic distribution through multi-media. It is available on the net. I commend the *Hansard* staff for their part in that because they have been long suffering. I lament the fact that all my colleagues decided after some 16 or 17 years on the Joint Parliamentary Service Committee or its equivalent, and after having personally put in voluntarily hours and hours of work and consultation with *Hansard* in thinking through the methodology for the introduction of this new technology for word processing in the production of *Hansard* and in-house printing of it, I was ignominiously dumped from that committee, even though I was prepared to serve on it. I do not reflect on you, sir, or the Speaker as members of the committee, but just feel that that was probably the beginning of the end that day and that is sad, because I had never been deceitful or dishonest. My cards are always and will continue to be face up on the table whenever I go in to do a deal. My decisions about matters will always be based on merit, merit as to the benefits that the decision will bring to the people of South Australia as an offset against whatever costs may be involved in bringing it into being, whatever the issue is.

I belong to a party that says that it is proud of the fact that its members are free to speak their mind, yet I guess somewhere along the line they forgot about that today. I know that it is also sad for the government to find that it is probably, in

the history of parliaments in this country—it may even be in the history of parliaments throughout the Commonwealth Parliamentary Association—the first government party that has ever decided to vote itself into minority. That is the kind of decision you would expect from the Keystone Cops, I reckon, and they do not even make good cowboys—or do they? Certainly, it is entertaining to contemplate the consequences.

The other thing I have noticed from my own inquiries around the parliament and examination of the record is that since this parliament began the numbers of bills that we deal with in this place is more than double what it has been over a fairly long time, on average. I think that ministers often really do not know too much about the legislation they are bringing in here. In all probability then, I think that one way of helping them understand what the legislation means is to invite them to read the second reading speech perhaps for the first time—and I will be taking the liberty to do so. I suggest to them that they ensure that what they have before them when they come into the chamber with a bill is legible enough for them to read, so that they are not embarrassed—

Mr Atkinson: Will they be able to pronounce all the words in the second reading?

Mr LEWIS: I do not know. It is at least by that means, if I do not know what the bill means, that I listen intently to the second reading speech and trust that its explanations will enable me to discover what it means; it will certainly help the minister in any case.

Along the way then, I have seen some decisions about which I have been fairly circumspect in not being as critical as I believe I could have been, although I am sure in the future it will be in everyone's interests, whether in this chamber or outside in the wider community, to know what those anxieties are; whatever they may be, I will draw attention to them. It will ensure that we all have a better understanding of the legislation: at least I will because I admit that I have been prepared to acquiesce in the interests of expediency and unity, believing that I have been able to rely upon the assurances I have been given—although not always.

From this point forward to the next election, I quite proudly wear the status as an Independent member of this parliament, driven into that position without any notice or the opportunity to answer my critics and driven into this position by people who themselves have admitted that they have misled this place. To that extent, I do not think the decision reflects well on the group of members who took it and I do not think it augurs well for parliaments in this state if that is the kind of level to which any group within the parliament will lower itself.

Mr Foley interjecting:

The DEPUTY SPEAKER: Order!

Mr LEWIS: Certainly, that was not one of my considerations, but I say quite publicly now that I understand why the Premier has been so keen to support ministers who have been incompetent; and that is because retired Judge Cramond—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr LEWIS: —found that he, too, had misled parliament and he said so in his report. It is a sad thing that was not brought to the public's attention at the time the report was brought in, because we now find that the party in government, the party which has the best prospect of providing continued prosperity in this state, is being led by someone who has no respect for parliament or the institution that provides the means by which we can secure a better tomorrow than today.

If members want evidence for my making that remark—and I am happy to make it outside—I would quote Mr Cramond on page 43 of his report where he said just that. On another day, I might go into that in a more fulsome manner. Time now has passed me by. I intend to ensure that the budget estimates processes from this point forward to the next election—and it probably will only be another one—will be better than they have been and that what the standing orders intend will, indeed, be the way in which they are conducted and not on some other basis involving how quickly we want to get home. Our job is to scrutinise what the government is doing and discover whether or not it is in the public interest, and to do so in all good conscience.

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms RANKINE (Wright): A lot of members have been very critical about the estimates process, and I have to say with some justification. However, from my position as a backbencher in the opposition—excuse me, did you just hear what I said?

The DEPUTY SPEAKER: Order!

Ms RANKINE: I had an inappropriate interjection that I needed to deal with, sir.

The DEPUTY SPEAKER: All interjections are inappropriate.

Ms RANKINE: They are; thank you, sir.

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms RANKINE: From my position as a backbencher in the Labor opposition, it was an opportunity for me to raise, again, some concerns and issues in my local electorate and to try to get some proper and specific answers from the ministers. The difficulty, of course, is in exactly that process—getting some specific and clear answers. A number of issues have been of concern in my electorate for some time, and I am sure members are sick of hearing me raise these issues—not as sick as I am of having to raise them, but I will continue to do that until these matters are resolved satisfactorily.

My community is becoming increasingly disheartened about a lack of resolve or any action by this government in relation to a commitment it made three years ago to provide my community with a police patrol base to service its area. It is not good enough to continually come up with lame excuses which under any reasonable scrutiny just cannot stand up. We were originally told that the Tea Tree Gully patrol base move to Para Hills was a temporary measure. This was part of the new vision for policing here in South Australia. Three years later we still have no decision despite continuing questioning of the minister and despite continually writing to him. Letters are not now answered when I put specific questions which are obviously quite difficult for the minister to answer.

For example, I wrote to him in January this year with a range of questions about the modifications being made to Holden Hill patrol base to accommodate officers from Tea Tree Gully; whether or not the move was intended to be permanent; what plans were in place to provide the promised shop front station at Modbury, etc., yet there has been no response to that letter. The minister comes back with advice that a significant document is being developed—this is three years down the track—and is in draft form with respect to how we will manage capital works and police station locations in the mid to long term. They sure as heck are not

in the short term because here we are three years later. This is an absolute mockery of the term 'vision for the future'. Surely, the placement and location of police resources should be determined before major patrol bases and police stations are closed, relocated or turned into shop front facilities.

As I have pointed out on numerous occasions, a variety of crimes affecting the daily lives of my constituents, crimes such as break and enter, illegal use of motor vehicles, dangerous driving and drink driving offences, have escalated since the implementation of Focus 21. The government can try to explain this away as a bit of a glitch. However, during the estimates process the Attorney-General was able to confirm that, in fact, a rise across the state has occurred in the vicinity of 9.2 per cent. This is on top of the increase of 11 per cent in 1998.

My constituents take absolutely no comfort from the Attorney's comment that the rate of increase is declining. We have gone from 11 per cent to 9.2 per cent, and we are supposed to be comforted by the fact that the rate of increase is declining. I suggest that the Attorney come out to my electorate and try selling that line to a family that has just been burgled or to a person who has just had their means of getting to work each day stolen or trashed. It just will not sell; no-one is buying it.

What we see in the Tea Tree Gully area of my electorate is just another major con by this government. Its so-called crime-reduction strategies are a failure. We have experienced an increase in crime, and this is happening across the state. On top of that, for the government to claim some sort of success is adding insult to injury.

It was pleasing to note, as I mentioned in my budget speech, the development of the park and ride interchange in Golden Grove, which is in the process of being negotiated. That is pleasing for a number of reasons, but it seems that, again, the Minister for Police is missing the bus, so to speak. The Public Transport Board has indicated that it is happy for a patrol base to be located on this site. This proposal contains so many advantages. This is government-owned land of which the local high school must divest itself. It is situated in the heart of Tea Tree Gully where the people are; and it is a growing and vibrant community. Police vehicles would have easy access in and out of their patrol base; they would have the opportunity to build links with young people; and it would provide natural security for public transport commuters.

Regarding young people, I questioned the minister about Operation Flinders. I am sure that many members are aware of this initiative. A number of young people from the Golden Grove High School have been involved in Operation Flinders, and I have attended functions at which they have been presented with their tags. It would appear, however, that there is some discord about the level of support that the police department will provide for Operation Flinders.

When I asked the minister about this, he indicated his support for the program, but it seems that there may be some underlying discord with the Police Commissioner. The minister had had some discussions with the Police Commissioner, and he undertook to embark on further discussions when the Police Commissioner returns from America. I am sure that we will all look forward to that. He must be the most travelled Police Commissioner in South Australia's history. When he returns, I hope that the minister is able to convince him again to provide the same level of resources and support that Operation Flinders has enjoyed in the past. This opportunity is there for the minister's taking. I urge him to get on the bus and take advantage of this opportunity. It will not be there forever, and he will not be able to sit on his hands forever in relation to this matter.

It is interesting that the minister had the gall to attack the Tea Tree Gully council on its commitment to crime prevention. An article in *The Leader* Messenger, headed 'Government attacks gully's leadership', states:

> Police and Emergency Services Minister, Robert Brokenshire, says Tea Tree Gully council needs to show 'better leadership and support'.

If that does not take the cake, I do not know what does. Mr Brokenshire clearly needs—and this is my comment; it is not in the article—to take his own advice. The article continues:

> Mr Brokenshire has questioned the council's commitment to police and emergency services, singling out two recent council decisions for criticism.

One of those decisions involved the council's voting against a proposal to strengthen ties between local government and Neighbourhood Watch amid fears that it may be forced to help fund Neighbourhood Watch. How foolish and totally unreasonable of the council to be wary of any initiative of this government. I would say that the council is wise to proceed carefully with this government. What gall of this minister to say that anyone should show better leadership and support in the light of his track record in this area.

It is also interesting to note that, according to this article, the member for Newland weighed into the debate by saying that the council should be doing its best to support crime prevention strategies. She said:

> It is an absolute nonsense for council not to support crime prevention mechanisms that have been put in place to support the local community.

What is the member for Newland saying about her and my electorates not having the police patrol base which was promised three years ago? We are deafened by her silence.

Another issue relating to other emergency service facilities in Tea Tree Gully involves the ambulance base. Again, the argument is that the ambulance needs to move from the centre of Modbury to a better location. I understand that, initially, the council proposed a site at Redwood Park. I was pleased to hear the minister say that he will work through these issues with the new council in the hope of getting a better outcome. I am sure that all the people in the Tea Tree Gully region will support him, but if we have to rely on him to show leadership I must say that I do not hold out much hope.

During the estimates committees, I asked the Minister for Education a range of questions about the Salisbury East campus. The minister was not able to give me the conditions of Cabinet approval relating to the sale of that site. He has confirmed that, for any sale of that site to proceed, approval is needed of the cabinet or the Governor, or both, but he could not say whether any conditions were attached to that approval. Rather than wait for the minister to come back with a response, I will answer my own question because I have been able to ascertain that information. You would think that when a minister goes to his cabinet with a submission he would have some idea of what he was doing, but that does not appear to be the case.

I understand that two conditions are placed on the Governor's approval for that sale. One is that the university gets the market value for that site. It is my advice that that is somewhere in the vicinity of $5 million. It must also comply with a new planning amendment for that area which will deem the property to be rezoned 'mixed use'. That was put

in place to ensure that this site did not just become a housing development. I understand that all education department land is zoned residential to allow for development if the site is no longer required.

However, this condition has been placed on this site, and the Salisbury council has prepared a draft supplementary development report which is currently in the process of being circulated. The minister did not know that, but it puts a whole new slant on things. I would like to know whether the university now has to go back to the minister and/or the Governor with the details of the current proposal—we have not been given any information about that—and whether the sale documents reflect the conditions placed on the sale by the Governor. Has the minister been provided with this information; and, if not, why not? I would like to know not only whether it complies with the conditions determined by the Governor but also who is checking that they actually do comply. Who is responsible for that? Does the university have to keep going back to the minister? Who is actually doing this? Who is responsible?

I would like to know what is the future of the community radio station which is located on the Salisbury East campus and whether it has been provided for in this sale agreement. I would also like to know the status of the Salisbury campus child-care centre which has been operating for a number of years and which I understand signed a lease with the university not long ago. These are important issues to which my community and I want answers.

I understand a similar sort of event occurred in New South Wales last year, with the University of New South Wales St George campus. The site was an old CAE, much like this one, and it was given to the University of New South Wales much as we gave this to the University of South Australia, and the university decided it would sell it off to a private boys' school. My advice is that the minister was not very happy with that and refused to give consent. They took some action; the government over there was committed to education and to that community, and it literally took back the facility. I wonder whether this government has thought about that. Over the years we have heard lots of words and speeches from the government about its commitment to education and to the operation of that campus; I wonder whether it has actually thought about stopping the sale and this development for housing and taking back the site to ensure that it remains an education facility for the people of the northern suburbs.

My concern about that development was increased substantially, as I told the House last week, when I found that the developer that had signed this agreement was in fact Eastgate Developments. As I told the House, I had dealings with this organisation some years ago and I was absolutely appalled, not only by its lack of commitment to the area but also by the standard of the development and, when issues were raised with the company, its reluctance to resolve any of them in any way. It took about 15 months to convince this developer that, when you promise a tree-lined boulevard for residents, offering them a free tree which they could or could not plant and which was in fact an illegal street planting—was not living up to your obligations. I do not believe this organisation has the resources or ability to comply with the type of development that would need to take place on the Salisbury East campus, and I am extremely disappointed that the University of South Australia has embarked on this course of action. I would urge it very strongly to look at this organisation with which it has signed, and perhaps reconsider where it is going in relation to that and the commitment it has given that region.

Finally, I will refer quickly to the active sports grants that are administered by the Department of Recreation and Sport. There is no doubt that local organisations benefit enormously from these grants, and they are much sought after. My concern is about the way these grants are allocated, and I remain extremely disappointed that the government insists on their being allocated on an electorate by electorate basis rather than a needs basis or through any social justice criteria, which are the criteria generally used for any other grants the government makes. Two rounds of $10 000 for each electorate come through in a financial year, and that will be increased to $20 000.

From the responses to questions that I put to the minister it would seem that, if the entire $10 000 (or $20 000 as it will be) is not allocated, the area loses that money; it goes into a general pool that is reallocated elsewhere. When I got the figures together for my area, this caused me great concern, because it would appear that the electorate of Wright has missed out on about $14 000. That is because in some years not all the money has been applied for. I acknowledge that, but there is no reason why if, for example, $5 000 is not used in one six month period, it could not be passed over to the next.

What is very concerning to me is that it would appear that in the last financial year only one round of grants was made, and that was in January 2000. So, I would urge all members of this House to go back and check their recreation and sports grants because, unless my electorate is quite unique and we missed out on the whole $10 000, we may all be down quite substantially in the funds that should be allocated to our electorates.

Motion carried.

Bill read a third time and passed.

SOUTH AUSTRALIAN MOTOR SPORT (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

ADJOURNMENT

At 10.45 p.m. the House adjourned until Thursday 6 July at 10.30 a.m.