HOUSE OF ASSEMBLY

Wednesday 25 October 2000

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

LIBRARY FUNDING

A petition signed by 308 residents of South Australia, requesting that the House ensure government funding of public libraries is maintained, was presented by Mr Meier.

Petition received.

LEGISLATIVE REVIEW COMMITTEE

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

That the report be received.

Motion carried.

QUESTION TIME

SULLIVAN, Mr S.

Mr CONLON (Elder): My question is directed to the Minister for Government Enterprises.

Members interjecting:

Mr CONLON: You will enjoy it. Did the minister mislead the parliament yesterday when he told this House that the CEO of SA Water, Sean Sullivan, had failed in four key performance criteria, given that the first three criteria that the minister listed were listed by the board as its reasons to award Mr Sullivan a $20 000 performance bonus? The opposition has been advised that Mr Sullivan was informed in writing by the board of SA Water that it was awarding him a performance bonus because of his performance in, first, accelerating the commercial development of the corporation; secondly, public relations and customer services; and, thirdly, working closely with the board to provide an assurance that the corporation was being managed in a vigorous and visionary manner.

Members interjecting:

The SPEAKER: Order! I call the Minister for Government Enterprises.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I certainly did not mislead parliament yesterday. I indicated to the parliament yesterday that the vast proportion of the performance bonus, despite all the attempts by the member for Elder and other members opposite to make it appear as though this is something rather unusual, was in fact part of the contract written 12 months ago. That is the fact of the performance bonus: it was a clause in the contract, as I identified.

Members interjecting:

The SPEAKER: Order! The minister has been asked a question. Let us hear the reply in silence.

The Hon. M.H. ARMITAGE: Thank you, sir. A number of criteria were mentioned. As I indicated, more than 60 per cent of the $30 000 for which Mr Sullivan could have been due if he was in fact—

Members interjecting:

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

Mr Foley interjecting:

The SPEAKER: And the member for Hart.

The Hon. M.H. ARMITAGE: More than 60 per cent of the performance bonus was due to the performance criterion of 'meeting budget'. As I pointed out yesterday in the chamber, the strategy to do that had been set before Mr Sullivan was even employed. But that occurred. So, 60 per cent of $30 000 is about $16 000 or $17 000. All the other criteria on which Mr Sullivan received a less than 50 per cent mark—in other words, he failed—added up to the difference between the 60 per cent and the $20 000.

So, there is a $10 000 gap between what he was paid and what he could have been paid, and the fact that he did not receive that extra bonus means that he failed in all those important criteria. He simply did not get the right sorts of marks for the SA Water board to say to Mr Sullivan, 'We have confidence in your leading this important utility into the future.'

CANNABIS

Mr VENNING (Schubert): Will the Minister for Police, Correctional Services and Emergency Services explain to the House the government's view on the number of cannabis plants that an individual can lawfully possess? It has been put to me by my constituents—and I happen to agree—that the only acceptable level is none: zero. I also note the comments of the Police Commissioner late yesterday.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): This is a very important issue. One of the points which the honourable member raised and which I would like to correct from the start is that he said 'can lawfully possess'. Let us get clearly on the record: whether you have an expiation notice or not, the fact is that it is still an offence actually to grow and possess marijuana. So, let us get that right for a start.

The honourable member raised the issue of what the Police Commissioner had to say as reported in the *Advertiser* with respect to his position on cannabis and marijuana. I support the fact that the commissioner has a right to speak on these issues, and I understand, as do the government and all members on the government side, the concerns about illicit drug use. I understand, too, the devastation that it causes families: the mental health issues and the criminal activities that occur.

As I have said regularly in this House, we believe that, if it were not for illicit drug use, we would see crime at an all-time low. Part of this illicit drug use is, clearly, marijuana, the use of which has been on the increase. So, as minister I support the fact that the commissioner has a right to speak his mind on issues such as marijuana.

However, the government has been addressing the issues that the commissioner has raised. In fact, as a government we have been trying to address this issue for well over a year: for well over that time the government has been trying to do its best to come back from the old 1980s model, and we know what happened in the 1980s. We know what happened when it was financial devastation and ruination of the state of South Australia under a Labor government.

We can look back through history and see that in the 1980s the Labor government not only ruined and devastated South Australia economically, when the Leader of the Opposition was a senior minister and, in fact, in charge of employment, but also—

Members interjecting:

The Hon. R.L. BROKENSHIRE: I know that they get sensitive over this stuff, but I suggest they listen to the answer on this very important issue because our government is about addressing issues today and making sure that we can grow opportunities tomorrow. The 1987 model—the Cornwall Labor government model on marijuana plants—sent out a green flag to the young people of South Australia, where they said, 'Go ahead and grow your 10 marijuana plants; we will given you a $150 expiation notice; and it will not hurt your health.' That is what Dr John Cornwall, the Minister for Health in a Labor government, said in 1987. What do we see in the year 2000? We see the left Labor candidate, strongly supported by the Leader of the Opposition, coming out in the press recently and saying to young people again (even though we have seen this criminal activity increase, and the destruction of the social fabric of society), 'It's all right to smoke dope.' That is what the Labor candidate Lomax-Smith said. 'It's all right to smoke dope,' she said. It is not all right to smoke dope—it damages your health. We all know that and we will see a lot more about that in future.

It has also brought many people into heavier drugs and, sadly, into crime. That is why I have no problem whatsoever with what the Police Commissioner had to say. The difference between the Police Commissioner's comments and what we have to do as a Government is that we have to address the issues in the parliament. Over the past year we have put a regulation into the parliament where we as a government have said that 10 marijuana plants has failed. The Labor Party's position of 1987 has failed, failed and failed. Here we are about to address this issue.

Members interjecting:

The Hon. R.L. BROKENSHIRE: I know that the Leader of the Opposition will get very sensitive over this because there is a lot more at stake than being at a pie cart when it comes to this issue. This is about showing some true leadership. It is about standing up as a Labor Leader of the Opposition and saying, 'I support the Government's stance on three plants.' What has the Leader of the Opposition done? He has not gone to the upper house and spoken to the Labor Leader of the Opposition up there and said, 'Support this legislation'—not at all.

Members interjecting:

The SPEAKER: Order, the member for Spence and others!

The Hon. R.L. BROKENSHIRE: Not at all has the Leader of the Opposition of the Labor Party gone up there, started to address the issue and helped the government to come back to three marijuana plants. Have a look at the party platform. Not only has the Labor left candidate for Adelaide said that it is all right for young people to smoke marijuana, that it is the harder drugs they have to worry about, but we can look at the papers they put up to their convention. There was not even very much in the Labor Party convention papers on drugs. There was very little. That was code for the fact that the Labor Party has not learnt the lessons when it comes to the destruction of the social fabric and the damage marijuana is doing to our community.

The psychedelic 70s are over. We are about the future and health of South Australians and the reduction of criminal activity in South Australia. We have come back to some balanced ground. We appeal to the 'Democrazies' and the Labor Party to come to modern South Australia and support the government's commitment to reduce marijuana plants to three for an expiation notice and to support us in the comprehensive drug strategies that our government has developed. Members opposite do not have a policy. We have policies and a strategy. We have regulation in the parliament. We have the commissioner out there saying that marijuana is a problem. How about the Labor Party growing up and supporting the Government on this issue?

Members interjecting:

The SPEAKER: Order! The leader will come to order, as will the Minister for Minerals and Energy.

SULLIVAN, Mr S.

Mr CONLON (Elder): Can the Minister for Government Enterprises explain why none of the four criteria claimed by the minister yesterday that were used to sack the CEO of SA Water, Sean Sullivan, were raised by the SA Water board with Mr Sullivan when he met with them on 29 September, 6 October and 10 October, and will he table the minutes of those meetings?

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): My understanding is that these matters were raised on a number of occasions during counselling with Mr Sullivan.

Members interjecting:

The SPEAKER: Order! The chair would like to hear the reply, as I am sure would most members—apart from the member for Hart and the member for Elder. I ask those members to remain silent and let us hear the reply.

The Hon. M.H. ARMITAGE: As I identified in the statement yesterday, Mr Sullivan should in fact have been in no way surprised about his dismissal, because there was a series of occasions on which Mr Sullivan was counselled by either the board or the chairman of the board, acting on behalf of the board. I, in fact, may be an unusual person but if I were the CEO of an organisation—

Mr Conlon: Unusual, but not special.

The Hon. M.H. ARMITAGE: I may be unusual, but if I were the CEO of a major utility—

An honourable member interjecting:

The Hon. M.H. ARMITAGE: —I apologise—and the chairman suggested that I go to the board and have a big discussion, at which the board members discussed with me all their concerns, and less than a week later (as I believe it was) I was counselled by the chair (whether it was at that meeting or a subsequent meeting but certainly there had been at least one other meeting); if it was suggested to me that the chairman of the board was discussing with me my future stewardship of the organisation and possible exit strategies (as was identified in my ministerial statement yesterday); and, if a week or so later (and I cannot remember the exact date) the chairman of the board and the board made a decision that, in fact, my contract should be terminated, I do not think I would be surprised. I would not be surprised, because the board—

An honourable member interjecting:

The Hon. M.H. ARMITAGE: I will come to the bonus in a moment. We already have identified that on a number of occasions but, clearly, it has not sunk in, and I am very happy to detail it again. But I would not be surprised, if every member of the board had said, 'Michael, we have some real reservations about the way you are doing this', and if I then had two more meetings with the chair of the board, and at one of those meetings at least the chairman had said, 'I think we should discuss how you are going to do this. Possibly you should contemplate moving outwards, and let us discuss

strategies for you to do that', I would not be running a flag up the flag pole a week and a half later and saying, 'I was really surprised when the board told me it was terminating my contract.'

Let us get back to this business of the bonus. I do not have with me the ministerial statement that I made yesterday but I believe it was clause 3.2. The Leader of the Opposition's question was: if the termination of his contract was the solution, why was he given a bonus? They are two totally different—

The Hon. M.D. Rann: On the same day.

The SPEAKER: Order, the Leader of the Opposition!

The Hon. M.H. ARMITAGE: Hang on, Mike, give me a chance. I know you do not want to understand it but let me explain it for the last time.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I suggest that the Leader of the Opposition does not push the chair too much this afternoon.

An honourable member interjecting:

The Hon. M.H. ARMITAGE: Exactly. I do not have a copy of the ministerial statement with me but I believe that clause 3.2—whatever I quoted yesterday, and I am sure that it is in *Hansard*—of the contract signed in August last year said that, at the end of 12 months, there will be a performance-based review with a performance-based pay. That was decided not two weeks ago but in August 1999. Whilst the Leader of the Opposition certainly does not understand contracts, there is a clause in the contract that states that these will be the criteria upon which you will be judged in 12 months' time.

Mr Conlon interjecting:

The Hon. M.H. ARMITAGE: No, he got a performance-based review as a result of the contract. He got a result of the contract review, and some of those were absolutely objective figures. As I indicated yesterday, they were paid. The subjective ones, where the board was thinking, 'Can this person lead our utility into the future? Is he actually able-

Mr Conlon interjecting:

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

The Hon. M.H. ARMITAGE: The board was asking, 'Is this the man who is able to develop a team of management and people in SA Water to provide the best possible water facilities into the future?' The answer was no, as I have identified. Frankly, if the board had come to me and said, 'We do not think he is the right person, but we have decided to keep him,' I would have been worried about the board. Frankly, it did not do so. Rather, it said, 'Our assessment is that this man is not the right person to be leading SA Water into the future and we are terminating his contract.' As I indicated yesterday, that is the totally appropriate strategy, and I have complete confidence in the board.

DRUGS

Mr HAMILTON-SMITH (Waite): Will the Premier advise the House of the success of the government's new initiatives to fight the problems of drug abuse?

The Hon. J.W. OLSEN (Premier): Clearly, the member has indicated, with a range of activities, a close interest in this subject area and, in addition to that, policy directions that ought to be put in place as they relate to drugs within the community and how we can more successfully tackle what is an insidious crime and habit within our community. The fight against illicit drugs is one of the key and top priorities of government. We must accept that, whether or not we like it, drugs are part of our community.

The traditional policy of policing methods alone is not the answer. There is not a quick, overnight fix. Policing methods that have been in place have not delivered, not only here but also around the world, an answer to this issue and this problem.

The state government has been prepared to step outside the square, if you like, and look at new initiatives to fight the drug trade in an attempt to put in place or try other measures that might bring about a curtailment of what, as I have described, is an insidious trade.

Being prepared to be innovative and recognising that breaking the cycle of long-term drug abuse, we can make a real impact on reducing the level of crime. The Minister for Police mentioned just a moment ago that there is a direct link between drug abuse and the level of crime in the community, particularly street crime such as bag snatching and activities such as that at teller machines, where people see the cheap cash to feed a habit. In many instances, the advice that we get from the police is that that sort of petty crime, to describe it in a category—crimes against individuals and crimes against a home, where we have home invasions—is aimed simply at getting short-term, quick cash to feed a habit within the community. It is a direct link with the drug trade in our community.

That is why we have committed $1.56 million to a two year pilot drug court to break this drug crime cycle. It is an attempt to delink the two and to try to rehabilitate people and to put them on the course of good citizenship. The Attorney-General has announced today that in less five months more than 160 offenders charged with drug-related crimes have been referred to the new drug court. Some 75 have been accepted as full-time participants in the program; a drug problem has contributed to their offending; and there is a real desire on their part to be rehabilitated. This is breaking the cycle to try to get people in the early stages, to get them back on track and to get them rehabilitated.

Mr Atkinson interjecting:

The Hon. J.W. OLSEN: Well, it will be difficult. I do not deny that it will not be difficult, but at least we are trying with this section of the community—

Mr Atkinson interjecting:

The Hon. J.W. OLSEN: Thank you—because it is important for them as individuals, and more importantly for society generally—the broader community. The success of the trial so far is further evidence of the need for a police drug diversion program to tackle the other end of the drug problem. The program aims to divert small time drug abusers into treatment as soon as possible, so that we can at least start the rehabilitation process and give it a chance to be successful with those individuals. We seek to get them off illicit drugs and prevent them ending up on what will perhaps be a life of crime, simply feeding a drug habit within the community. The proposed drug diversion program has wide-ranging support from within the community and from police, and will put South Australia again at the forefront of drug diversion programs. What I would do—

An honourable member interjecting:

The Hon. J.W. OLSEN: And I acknowledge the interjection from the member opposite—is seek support from those opposite for the program, for reducing drug abuse and drug related crime within the community. We need a strong community base, and support for the police in the work they do within the community to help divert people from drug use.

But we have had opposition in the upper house to the drug diversion program.

An honourable member: Why?

The Hon. J.W. OLSEN: Why would you oppose trying to rehabilitate people? Why would you oppose putting in place a new measure to try to help rehabilitation in the treatment of individuals? Why would you oppose a measure that would short-circuit funding to South Australia from the commonwealth government for a range of drug related programs? By refusing to put in place these measures, we are short-circuiting $9.3 million worth of commonwealth funds coming to this state for drug diversion programs. Given the support of the honourable member opposite earlier, would he take up the matter with his colleagues? Would he ensure that we get support rather than opposition? Would he give us encouragement for at least trialing these drug diversion programs in the state, so that we can access the $9.3 million worth of commonwealth funds and so we might be able to play an important and fundamental role in the community in the reduction of drugs, rehabilitation of offenders and, therefore, the commensurate reduction of crime within the community.

There is no more important issue in terms of community safety and welfare than tackling the drug problem within our community. It is why we put commitment into it. I appeal to those opposite and in the Upper House to look at this drug diversion program and not walk away from it, give us access to commonwealth funds, let us put in place the programs and let us at least have a chance to rehabilitate some within the South Australian community.

SA WATER

Mr CONLON (Elder): In his recent visit to Indonesia to deal with SA Water matters, did the Premier at any time meet with or was he at any time accompanied by SA First MP Terry Cameron, and Angus Redford MLC and, if so, why?

The Hon. J.W. OLSEN (Premier): When I met the Governor of West Java, and I signed—on recommendation—an agreement with the Governor of West Java, Terry Cameron and Angus Redford were present in relation to the Parliamentary Friendship Association that has been established by them with the West Java Parliamentary Fellowship.

Members interjecting:

The SPEAKER: Order, the member for Waite!

CANCER TREATMENT

Mr SCALZI (Hartley): Will the Minister for Human Services outline to the House how cancer treatment services will be improved by new equipment provided by the state government?

The Hon. DEAN BROWN (Minister for Human Services): I am glad that the member for Hartley has asked this question about new equipment for more effective cancer treatment. The oncology section at the Royal Adelaide Hospital has just commissioned two state-of-the-art machines used specifically to provide far better radiotherapy for people who suffer from cancer. The first is a linear accelerator. I have seen this machine, which is just in the process of being commissioned now. The linear accelerator will now allow a three dimensional beam to be established so that radiation can be directed very specifically at the tumour—and a high rate of dosage at that—therefore reducing the damage done to surrounding tissue.

This linear accelerator is an enormous advance in the way in which it rotates any way around the patient. It can change the shape of the beam of radioactive material directed into the patient. It can supply a very high dosage indeed and, as a result of that, it is believed that the side effects from radiotherapy will be significantly reduced and there will be far more effective treatment of the tumours.

The other piece of equipment that is just being commissioned and trialled down there is a new brachytherapy unit. I guess most members, like me, would not have a clue as to what such a unit was until, as I did, I ascertained what it would achieve. It is a unit that has up to 19 very thin catheter tubes, which can be placed in various locations around the body—actually within the body, in the lung or digestive tract or actually implanted into a cancer tumour. A fine wire with a high dose of radioactive material at the end of the wire shoots out for just a minute or so—or perhaps just a matter of seconds—and releases a high dosage of radioactive material right into the tumour itself. It can do that in 19 different locations. As a result of this significant breakthrough it will far more effectively kill the tumours and not damage other tissue.

In fact, they gave the example of someone with a significant tumour who previously would have been treated for more than 24 hours under more conventional radiotherapy but who, under brachytherapy treatment, was treated within about a minute. You can imagine exposing the body to 24 hours of radiotherapy at a lower dosage compared to the far more effective treatment of administering a high, intense and accurate dosage to the tumour. We have invested $7 million in providing what can now be regarded as probably state of the art equipment for radiotherapy treatment at the Royal Adelaide Hospital. It is an appropriate time to talk about it this week because it is Breast Cancer Week and I want to acknowledge the excellent work done throughout South Australia and Australia by the clinicians, the health and hospital staff in combating breast cancer in our community.

In the last 10 years we have reduced the number of deaths through breast cancer in South Australia by about 20 per cent. That is as a result of two things in particular: first, by much earlier detection through the breast screening program; and, secondly, by far more effective treatment if breast cancer is diagnosed. We should be proud that here in South Australia our breast screening program is regarded as one of the best in Australia. It has very high participation rates—still, I believe, below what we should be accepting, with only slightly less than two thirds of women in the target group of 50-69 years of age being involved in the breast screening program on a two yearly basis. I would like to see that lifted up to the 90s if possible. I give credit to the people involved in that.

The other important thing is the quality of the treatment by clinicians. In trying to judge ourselves as to how effectively we are doing this, if we look now at five year survival rates from the detection of breast cancer here in South Australia and compare it with about 12 other developed countries around the world, we see that South Australia comes out on top, with a five year survival rate of 83 per cent. Therefore, women should be reassured by the fact that we now have very effective detection of breast cancer and very effective treatment if a cancer is diagnosed.

There are two other things I would like to acknowledge. One is the role of Zonta, which has just launched its mastec-

tomy cushion. Zonta's volunteers are making these cushions. Over 1 000 women a year have a mastectomy in South Australia and go through a period of enormous psychological and physical trauma in this regard. With the Zonta cushions there is a physical aid as well as the moral support of Zonta for those unfortunate women who are diagnosed with cancer and have to undergo a mastectomy.

The other important thing we have established in South Australia is the Familial or Family Cancer Centre. Breast cancer is genetically linked, and through the Family Cancer Centre (which is the first of its kind in the world) at the Women's and Children's Hospital we are now able to plot those families where clearly the gene that predisposes to breast cancer is present, so those families can be tested more frequently; and particularly the young daughters ought to be tested at a much earlier age. That is likely to lead to earlier detection for those people who are probably very highly susceptible to breast cancer.

With these different types of treatment, there is no doubt that we are making significant headway, as shown through the 20 per cent reduction in deaths through breast cancer in South Australia. I applaud all those involved in this fight against cancer within our community and particularly recognise them in this Breast Cancer Week of Australia.

SULLIVAN, Mr S.

Mr CONLON (Elder): Did the Premier have any discussions with Terry Cameron about the performance and/or future of SA Water CEO, Sean Sullivan, prior to his sacking and, if so, what was the nature of those discussions?

The Hon. J.W. OLSEN (Premier): Issues were raised with me some months ago. I referred those issues to the Minister for Government Enterprises immediately. He took appropriate action, and he has advised the House of that.

Members interjecting:

The SPEAKER: Order!

Mr Hanna interjecting:

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

The Hon. M.D. Rann interjecting:

The SPEAKER: And the leader will come to order. I call the member for Hammond.

Members interjecting:

The SPEAKER: Order! The chair is having difficulty hearing the member for Hammond.

COURT ACTIONS

Mr LEWIS (Hammond): Give or take $100 000, how much has the government spent so far defending or prosecuting actions such as the 'Liar, liar' case?

The Hon. J.W. OLSEN (Premier): I will simply have to seek the information for the member, as I will do, and report back to him.

SULLIVAN, Mr S.

Mr CONLON (Elder): Was the Premier briefed on 25 September by the Crown Solicitor and former head of the Department of Premier and Cabinet, Mr Ian Kowalick, on the Crown Solicitor's investigation into allegations about Sean Sullivan, and what was the Premier told?

The Hon. J.W. OLSEN (Premier): To return to the interjection by the member for Hart and the member for Elder just a moment ago, some months ago certain allegations were brought to my attention. As I mentioned, they were the subject of a reference to the minister responsible for the portfolio, and the minister took the action—

Mr Conlon interjecting:

The SPEAKER: Order! Members will have an opportunity to ask further questions in a minute.

The Hon. J.W. OLSEN: Thank you, Mr Speaker; I will repeat it. Some months ago certain allegations were referred to me. They were then referred to the minister appropriately: I immediately referred them to the minister for the minister to take appropriate action. The minister sought, as I understand it, Crown advice, and that was the basis of the issue to which the minister referred the House yesterday. He went on to say (and I think I heard the minister correctly say yesterday) that a range of those particular allegations were unfounded. That was some time ago. They are the steps that were taken, and I referred the matter appropriately to the minister responsible.

NATIONAL WATER WEEK

The Hon. D.C. WOTTON (Heysen): Will the Minister for Water Resources inform the House of the outcome of the National Water Week celebrations in our state last week and, in particular, refer to any significant issues coming out of that week?

Members interjecting:

The SPEAKER: Order! I warn both the member for Hart and the member for Elder for disrupting the House.

Mr Atkinson: Old man river!

The SPEAKER: And I warn the member for Spence.

Members interjecting:

The SPEAKER: Order! I am not going to sit here and have this House turned into a circus by individual members opposite who are seeking to achieve that objective. Be the warning on your own heads.

The Hon. M.K. BRINDAL (Minister for Water Resources): National Water Week last week—

Members interjecting:

The Hon. M.K. BRINDAL: The member for Hart perhaps does not like personal popularity. National Water Week last week was a resounding success for this state and for many communities in this state, owing to the community getting solidly behind the celebrations. Hundreds of schools took part in the celebration on the theme of Water for Life, and tens of thousands of students were involved. Add to that the thousands of individuals who took part in the celebrations and community events plus the hundreds of water industry activities, and you can understand why it was so successful.

I went to many events, many in Labor electorates: at Dry Creek, with the Friends of Dry Creek; down where the River Torrens goes toward the ocean, for wetlands there; and up to Glossop High School, where some stunning work is being done on the renovation of wetlands. All over the state, adults and children are taking responsibility for what is, as the Premier has described, the most precious resource of the twenty-first century—water. We instituted a new scheme, a scheme of water heroes. I think all members of this House will acknowledge—

Ms White: Are you one?

The Hon. M.K. BRINDAL: The member opposite can sit there looking very contented, and I do not mind how many times she throws bones at me, but this is a serious issue and I wish she would give it a bit of attention, because I am

talking about kids—about people in this community who have a right to get a bit of credit. The fact is that many of those young people and older people have devoted some years to doing this sort of work.

Michael Schultz, a teacher at Glossop High School, some years ago took a class to a wetlands, found the wetlands dead, and has encouraged the school for several years in pursuit of this sort of endeavour.

The Hon. M.D. Rann: The water babies! Glossop's water babies.

The Hon. M.K. BRINDAL: Keith Conlon would love to be described as a water baby, and I hope Hansard picked up that remark. Keith Conlon, who for many, many years has been a champion of this state in many of its aspects, was awarded a water hero certificate. So, we are not afraid—

Members interjecting:

The Hon. M.K. BRINDAL: At least they all have pulses and at least they are all real. And at least there were not 1 040 in one day. I mean, what a shemozzle: 1 040 on the one hand, 96 on the other.

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

Mr McEWEN: On a point of order, there is a question of relevance.

The SPEAKER: The chair has already brought the minister back to the question.

The Hon. M.K. BRINDAL: I thank the honourable member for pointing out the question of relevance: it is a pity he didn't protect me from the interjections.

Water Week was an outstanding success. The community acknowledged it as a success, and the participation of the community is the important thing. I think the member opposite was at the Friends of Dry Creek celebrations, and to see at every event several hundred people calling in, having a look and understanding more about our environment is a credit to all who were involved.

SULLIVAN, Mr S.

Mr CONLON (Elder): My question is directed to the Premier. Did the Premier have any discussions concerning Sean Sullivan with the SA Water Board Chairman, James Porter, during or subsequent to the Arthur Andersen and Crown Solicitor's investigations into allegations against Mr Sullivan?

The Hon. J.W. OLSEN (Premier): No.

LE CORDON BLEU INTERNATIONAL

Mr CONDOUS (Colton): My question is directed to the Minister for Education and Children's Services. Will the minister tell the House why Adelaide has been singled out by Le Cordon Bleu International as the site of the company's only multi-million dollar Australian cookery school?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I thank the member for Colton for his question, bearing in mind that last week I announced a multi-million dollar campus of Le Cordon Bleu International which will be built in Adelaide. This announcement will see a state of the art facility in the city's university precinct as a major coup for this state. The operation will be run by Le Cordon Bleu, the University of Adelaide and the University of South Australia, delivering masters degrees in both restaurant management and gastronomy, and the most important part about this is that it is the only place in the world where this will be offered. It is to be known as the Business Management Centre and the fact that Le Cordon Bleu and Monsieur Andre Cointreau have chosen Adelaide speaks highly of the education undertaken here. Furthermore, a new generation of hospitality industry training will develop because of this decision.

Members opposite would be well advised to take a keen interest in this project, because it is the kind of employment generated, export creating and business success that the Labor Party was incapable of achieving while they were in government. Labor's only achievement was to generate crippling state debt and deny thousands of young South Australians a job. In fact, between 1990 and 1993 we saw a drop of some 20 per cent in apprenticeship numbers; it went down from 12 000 to 10 000. We can compare that with the increase we have seen under this government, whereby we are now approaching a figure of 30 000 apprentices and trainees in this state. That is an incredible number in terms of moving from some 14 000 to 15 000 a couple of years ago to nearly 30 000 now.

Le Cordon Bleu's endorsement of this state clearly bears out the education and training directions of this government—an opinion which is confirmed by the President of Le Cordon Bleu International, Monsieur Andre Cointreau, who said publicly last week:

> I believe the quality of education here in Adelaide is second to none worldwide.

They are the words of a man who could have picked any city in any country or any capital city in Australia in which to set up this unique enterprise. There is no doubt that he decided that Adelaide was the clear choice because of the high quality of education offered here in this state and because of the world recognition of the food industry, and hospitality training and education that exists in this state. It certainly gives us a leading edge when talking about exporting food and about the food industry plan that the Premier has promoted overseas as well as here in this state.

There is no doubt that this announcement will further enhance the state's reputation as a five star training base for the hospitality industry. It builds on Regency Institute and the international hotel management course there; it builds on the hospitality vet courses that we are now delivering in our state schools and in other schools around the state; and it will generate South Australian business and our economy towards moving further into this hospitality field. Mr Cointreau states:

> Leading edge MBAs are the latest and most exciting additions to the Le Cordon Bleu family. They are the ultimate industry qualifications.

It is expected that we will attract graduates from Le Cordon Bleu's 14 international schools. The fact is that, to undertake this master's degree, one must be a qualified chef: one must have qualified in a Le Cordon Bleu school or a tertiary institution.

We will be bringing leading edge and world-class chefs into South Australia. They, of course, will see the quality of our food and wine and the quality of our education here, and I am sure that this will generate increased sales for those food and wine producers here in South Australia. It is expected that, when the school is at full capacity, some 700 students will be studying there. In fees alone, that will generate some $30 million for this state's education industry. In addition, this study will be available through distance education, or online learning, which will go out from the school to the rest of the world.

The openings for new marketing opportunities for South Australia are immense; there is no doubt about it. We are very favoured to be chosen by Le Cordon Bleu International. It shows that our education system is of worldwide quality, and the choice just confirms that.

von STIEGLER, Mr P.

Mr CONLON (Elder): Does the Premier have full confidence in the integrity, business practices and bona fides of SA Water's Indonesian representative, Mr Peter von Stiegler?

The Hon. J.W. OLSEN (Premier): I do not know Mr von Stiegler that well, and I would take advice from the minister on that.

ABORIGINES, TRAINEESHIPS

Mr WILLIAMS (MacKillop): Will the Minister for Aboriginal Affairs outline to the House the latest opportunities available to Aboriginal people in this state in terms of trainee employment?

The Hon. D.C. KOTZ (Minister for Aboriginal Affairs): I certainly thank the honourable member for his question, because I think we all understand that he has taken considerable interest in youth employment programs in regional areas, particularly in his area of the state, and his question addresses the principles of youth employment.

I am very pleased to have this opportunity to share with the House some information that recently came to my attention in relation to private enterprise looking at youth employment traineeship programs but, in this instance, private enterprise looking at indigenous youth to take into traineeships. I am told that the federally funded indigenous retail traineeship program being introduced by Coles Myer is taking in quite a number of young Aboriginal trainees. The program involves 15 indigenous trainees, and I know that the member will be pleased to hear that, although in fact nine metropolitan trainees will be taken in, six Aboriginal trainees from the rural areas of South Australia will be involved in that program, which will commence in October-November of this year.

Members interjecting:

The Hon. D.C. KOTZ: I did not think that was terribly funny: I thought it was exceptionally clever. In the first six weeks, I am told that all participants will attend at an in-house pre-employment program and, based on their pre-employment program outcome, they then commence a 12 months' traineeship. The indigenous pre-employment program will be assessed at the completion, with the view of possibly integrating it with the current retail traineeship program. I understand that as an organisation Coles Myer does employ some 477 trainees in South Australia, and I am also told at this point they have achieved a 91 per cent success rate in the retention of trainees. The government welcomes the involvement of private sector companies such as Coles Myer that have such a proven record of employment success, particularly at the trainee level.

Members would also be aware, no doubt, of the success of indigenous trainee programs being conducted by the government through the public sector, and I am very pleased to advise the House, once again, that some 92 Aboriginal trainees have been placed within the state government agencies throughout 1999-2000, including the Aboriginal Lands Trust, local government, Tandanya and SA Water. This figure actually exceeded the target for indigenous trainees that was set by the Office of Employment and Youth and I certainly look forward to seeing that number increase even further during the year 2000-01. The Minister for Youth, who is also Minister for Employment and Training, has just informed me that cooperation is, and will be, at a maximum, which I am very pleased to hear. These traineeships run for some—

Members interjecting:

The SPEAKER: Order! The chair is interested in the reply on behalf of the indigenous community, and the members who are interjecting are not.

The Hon. D.C. KOTZ: Thank you, Mr Speaker. These traineeships will run for 12 months and will target Aboriginal people between the ages of 17 and 28. They are similar to other trainee programs. Trainees will attend the workplace for some three days a week and spend the remaining two with registered training providers. It is an exceptional program that is being run throughout the South Australian government. I am very pleased to hear that some federal funding has been provided to assist companies such as Coles Myer and other private industry areas to now establish youth training programs, and I certainly commend and congratulate Coles Myer for taking in this number of young people, particularly looking at the indigenous area of employment, and I thank them extremely for the recognition that the rural areas of South Australia also need to be addressed when these employment opportunities become available.

In terms of the South Australian government, I think we are well aware that we have provided many opportunities for indigenous youth in many different programs. One of the other programs now under way is the youth enterprise development scheme, which we will continue to support. That in itself sponsors business skills programs for high school Aboriginal students. These programs are conducted through Young Achievement Australia and run for some 26 weeks. They are aimed at providing young Aboriginal people with an introduction into business. The business incubator is another initiative of this government which works to develop indigenous business. The incubator will become the one-stop shop for Aboriginal people wishing to enter into business enterprises.

I inform the House that a feasibility study, which was funded by the Adelaide Metropolitan Area Consultative Committee, has been completed and that future directions and funding opportunities are now being explored in relation to this complete venture. I conclude by again hoping that other private enterprises in our state will pick up on these programs and support the employment of all youth, but I am exceptionally pleased to see these programs being directed at indigenous youth.

SA WATER

Mr CONLON (Elder): While in Indonesia with the upper house MPs Terry Cameron and Angus Redford, did the government or SA Water subsidise any costs associated with the travel, accommodation or entertainment of Mr Cameron and Mr Redford and, if so, how much was spent and will the Premier table all receipts?

The Hon. J.W. OLSEN (Premier): We certainly did not pay for the travel of Mr Cameron or Mr Redford, or for their accommodation. There was a meal on one occasion, at which the Governor of West Java was present, as also were the members concerned, so they shared in that, the same as

everybody else. That was part of the parliamentary friendship reference I referred to earlier. I will check and make sure of this, but no other expenses—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: —were paid for those individuals by the government.

EMERGENCY SERVICE VOLUNTEERS

The SPEAKER: I call the member for Goyder.

Mr MEIER (Goyder): Thank you, Mr Speaker.

Members interjecting:

The SPEAKER: Order! The Minister for Police will please remain silent.

Mr MEIER: Thank you, Mr Speaker. Will the Minister for Police, Emergency Services and Correctional Services outline to this House the role the emergency service volunteers played during the storms last Wednesday on Yorke Peninsula and in other areas of South Australia?

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): Thank you, Mr Speaker, and I thank the member for his question.

The SPEAKER: Order! Minister, I have not called you yet.

Mr MEIER: Mr Speaker, if I could explain, my question is specifically about Yorke Peninsula—

The SPEAKER: Order! The honourable member will resume his seat. The chair is of the view that the motion on the *Notice Paper* is broad enough to be picked up in the reply or the potential reply by the minister and rules the question out of order.

Mr MEIER: I rise on a point of order, Mr Speaker. I believe it is very unfair if a member represents—

Members interjecting:

Mr MEIER: Just listen to my point of order!

Members interjecting:

The SPEAKER: Order, the member for Ross Smith!

Mr MEIER: Thank you, Mr Speaker. My point of order is that I think it is very unfair not to allow a member representing a particular area, in this case Yorke Peninsula, to ask a question that is of great importance to that area.

Members interjecting:

The SPEAKER: Order! There is no point of order. When that motion comes before the chair, all members will have ample opportunity to take part in the debate.

SA WATER

Mr CONLON (Elder): My question is directed to the Minister for Government Enterprises. Has SA Water assisted SA First MP Terry Cameron on previous trips to Indonesia financially or with any other form of assistance and, if so, why?

An honourable member: He's a friend of yours.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): He certainly used to be. I will get the exact detail, but I am of the view that Mr Cameron has indicated to me that SA Water has been helpful in setting up some meetings he made on a parliamentary visit. I would expect the same to apply if any member of the opposition were away and SA Water were asked for entree by that member to find out about some matter on which SA Water staff were able to assist. I am certainly aware of the fact that that occurred. As I said, I would think that is completely appropriate. I am not quite sure where the member for Elder is coming from in continually looking at the matters in Indonesia. Yesterday, he indicated that the former CEO of SA Water had perhaps been negative about some of the programs in Indonesia and, indeed, had some criticism of SA Water's international division.

This was a surprise to me then because, as I indicated yesterday in answers to questions, Mr Sullivan had been glowing in his praise to me of the dealings that were occurring in Indonesia. On 18 September, Mr Sullivan, as the CEO of SA Water, sent the Executive Director of International SA, which is part of the Department of Industry and Trade, a minute in response to the Premier's request for information.

The minute contained a number of attachments. Those attachments were a briefing on the South Australian/West Javan Water Master Plan, a copy of the final form of the plan, a draft speech for the Premier and a copy of the presentation to be given to the Governor of West Java. This is the briefing which Mr Sullivan signed off for sending to the Premier (and this is the man who the member for Elder alleges thinks there is something wrong with the program in Indonesia). He signed off on the following quote:

> The Cooperation Board, which has membership including senior executives from SA Water and is under the chairmanship of the Vice Governor for Economic Development, has worked with the group preparing the master plan and given the plan their complete support.

The draft speech for the Premier, signed off by the CEO of SA Water, who the member for Elder alleges did not think this contract was a good deal, said:

> The South Australian Water Corporation and the South Australian Department of Environment—

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

The Hon. M.H. ARMITAGE: It continues:

> worked closely with their colleagues in West Java to produce what I believe is an excellent plan.

This is signed off by the CEO of SA Water whom the member for Elder—

Mr Foley interjecting:

The Hon. M.H. ARMITAGE: No, no. The member for Hart says it was written by—

Members interjecting:

The Hon. M.H. ARMITAGE: No, let us get this absolutely clear. This was written by the CEO of SA Water. These quotes were written by the man who the member for Elder said yesterday believes the plan is a dud. The former CEO of SA Water, the man that the member for Elder alleges thinks the West Javan collaboration is a dud, signed off and said that the Premier should say the following:

> I am delighted that the vision my government developed for the water industry in South Australia is bearing fruit and that we are able to assist our near neighbour of West Java in this important venture.

That does not sound to me—

The Hon. M.K. Brindal interjecting:

The Hon. M.H. ARMITAGE: As the Minister for Water Resources is saying, the former CEO of SA Water signed off on these quotes for the Premier of South Australia to say in West Java. Again, although I may be an unusual person, I do not believe that those are quotes that a person who thinks the contract is a dud would actually give to the Premier to say.

If he did, if as the member for Elder is suggesting, Mr Sullivan as the former CEO of SA Water believed it was a

dud and he put these quotes in front of the Premier, is it any wonder that the board of SA Water lost confidence in him?

Members interjecting:

The SPEAKER: Order!

ADDRESS IN REPLY

The SPEAKER: I have to inform the House that his Excellency the Governor will be prepared to receive the House for the purpose of presenting the Address in Reply at 3.15 p.m. today. I ask the mover, the seconder of the Address and such other members as care to accompany me to proceed to Government House for the purpose of presenting the Address.

[Sitting suspended from 3.7 to 3.50 p.m.]

The SPEAKER: I have to inform the House that, accompanied by the mover and seconder of the Address in Reply to the Governor's speech and by other members, I proceeded to Government House and there presented to His Excellency the Address adopted by the House on 12 October, to which His Excellency was pleased to make the following reply:

To the honourable the Speaker and members of the House of Assembly, Thank you for the Address in Reply to the speech with which I opened the Fourth Session of the Forty-Ninth Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray for God's blessing upon your deliberations.

GRIEVANCE DEBATE

Mr HILL (Kaurna): In the three years that I have been the shadow minister for environment and heritage, it has been rare for heritage issues to arise. I assume that this was because we had reached a mature consensus about this matter. However, in the last week or so two issues have emerged in the City of Adelaide which threaten that consensus. First, I refer to the decision by Adelaide City Council to allow the delisting of certain homes from the council's local heritage register on the basis of the particular owner's individual whims. This decision is most regrettable. The argument that heritage listing should be voluntary and not the result of informed and strategic thinking is deeply flawed.

In support of this argument the Lord Mayor, Mr Huang (whom I supported at the election and whom I continue to support), says that the truly important buildings are taken care of on the state government's heritage list (about 400 properties) and the city council's significance list (more than 100 properties). To limit heritage protection to that relatively small number of buildings is to expose the 1 200 buildings on the local heritage list and, ultimately, the very character of this city that we all say we love to destruction. Heritage is not just about a relatively small collection of highly significant buildings: it is also about the ordinary buildings and, ultimately, the overall ambience of our city. There is little point having perfectly preserved, highly significant buildings surrounded by cheaply built, architecturally barren, disposable buildings. To promote this as development is to sell Adelaide short.

I agree with Councillor Moran, who has called for an incentive package for owners of heritage buildings. Certainly there ought to be assistance with appropriate preservation and alteration to make the buildings useable—we do not just want empty museum pieces. There may well be an argument to review the list of heritage sites, but it should be done on an independent and scientific basis, taking into account the individual building as well as its importance to the local streetscape.

We also have to be sensible and recognise that some heritage buildings cannot be preserved because of deterioration or damage caused by fire, for example. When we replace heritage buildings or build in heritage areas, such as much of the City of Adelaide, planners must take into account the overall effect and impact of the new building.

This brings me to the second issue that I wanted to discuss today, that is, the city council's decision to approve Martin Towers, an eight-storey apartment building over the John Martin's car park. This building, which will tower over the North Terrace cultural institutions, has been described by the Director of the Art Gallery, Mr Ron Radford, as 'architecturally dismal—not to say appallingly ugly—wherever you put it—but the requirements of Adelaide's premier cultural boulevard must surely make it completely unthinkable'. This is a bad planning decision and council should do whatever it can to ensure that it is modified or rescinded.

I heard Deputy Mayor, Michael Harbinson, who we all know has great ambitions, defending council's decision on television last night. I believe that he said it is consistent with the council's vision for North Terrace. If this is the case, it would be more like *Nightmare on Elm Street*. While the proposal, as I understand it, was passed under the 1999 Development Plan, principle 5 of the current plan in relation to North Terrace states that:

buildings should maintain and extend the design cohesion of the North Terrace frontage and avoid dramatic conflicts of scale, form and materials.

This proposal could not be more at odds with that prescription. Council needs to reconsider its decision.

This is a perfect opportunity for Deputy Mayor Harbinson to show the leadership he is so keen to project and to fight this proposal. Mayor Alfred Huang is quoted in the paper as saying 'the building was not ideal but was in the city's best interest'. I strongly disagree with that statement: to me it is a contradiction in terms. We should be about excellence in Adelaide (certainly the institutions on North Terrace—the Art Gallery, the museum, the State Library and the university—strive for this), not about being second best. It is not in Adelaide's interest to have anything but an ideal building in this particularly sensitive and important part of Adelaide.

On a positive note, I do support the council's push to bring more people into Adelaide and I do see the logic in using air space to provide accommodation opportunities, but it must be done well. What I believe we need in Adelaide is a strategic approach to urban design that not only protects our heritage but produces new buildings that will enliven public spaces and be worthy of protection by future generations.

Mr VENNING (Schubert): I thank the Minister for Police, Correctional Services and Emergency Services for answering my question in the House today. The issue of how many cannabis plants an individual can possess before creating a criminal offence is very important to me. I also appreciated the assurances given by the Premier a few moments later that the government will confront this problem head on. I welcome the Premier's announcement that

$1.56 million will be committed to break the drug-crime cycle. I find it totally unacceptable that people can cultivate any plants of cannabis and suffer only an expiation fine, whether it is for three, eight or 10 plants. Yes, it is illegal, but we will hit you over the head with a feather. The expiation fee, I believe, is $150, which is hardly a deterrent. What message is that giving to the community, particularly our younger people?

Also the scene has been chaotic with the previous Labor government putting in this ridiculous situation when it made it 10 plants under Labor Minister Cornwall. It was subsequently reduced to three, then increased to eight, then to six, and now three. I think the time is right to make it zero and send the right message. I raised this matter with my colleagues yesterday morning. How pleased I was to hear the Police Commissioner's statement. I certainly welcome his input and wise comment late yesterday afternoon. This issue is very much alive and I will do all I can to achieve the zero goal.

Secondly, I want to briefly and clearly explain my position in relation to the sale of PortsCorp and the creation of a new deep water port at Outer Harbor, and any involvement of Oz Bulk and any potential conflict of interest that I may have. In relation to the shareholding I will have with Oz Bulk (formally SACBH), first, I did not intentionally purchase any shares. I will be allocated them purely from the demutualisation of the company, which occurred last month. I have not been allocated these shares yet. I believe the shares will be allocated sometime next year in relation to the tonnage of grain that my family delivered over the last 10 years.

I have never held shares in SACBH. I believe the article in today's *Australian* is actionable. This demutualisation is no different from any other company (such as AMP) that has recently gone into this situation. Every farmer in South Australia who has delivered grain in the last 10 years will be offered shares, and I do not believe the decision being made will disadvantage me in any way—no more than any other farmer in South Australia. Specifically relating to the Outer Harbor option, the lion's share of our family's grain has been delivered to Port Pirie, which is only 36 kilometres from our farm. Therefore, I do not believe it can be seen as a direct benefit to me or my family. It could be argued that it could have a negative advantage when port charges will be levied to the individual port.

Finally, I do not believe that Oz Bulk (formerly SACBH) will receive favourable treatment in relation to this because the sale process will sanitise the transaction and no company, Oz Bulk included, is guaranteed any advantage until the process is completed. I have sought advice on this matter and I am assured that I do not have a conflict, but, Mr Speaker, if you would like to comment on this issue before the event, it may help.

This process will advantage the people of South Australia. It will mean that we move more grain on railway lines and less on our roads: safer and longer-lasting roads is what people want. Also, we will have a new, modern deep sea port for all South Australians, because it is not just a grain port—the container port (owned by Sealand alongside) and others (including the passenger terminal) will also be advantaged by this decision.

After 30 years we have a decision that has been long in coming, and now it is proven beyond any doubt that this Olsen Liberal government does deliver.

Ms KEY (Hanson): My comments today relate to the rent relief scheme. It was interesting in the examination of the Auditor-General's Report last night in the human services area to note Minister Brown's comments on rent relief, particularly his reassurances for students who had been on rent relief and who, because of their study commitments, were in the city and then going back to country areas, back to their families.

The minister did point out the concern for those students and their changed circumstances, but I have to say that, although the minister reassured us last night that, with respect to the rent relief scheme, the government's argument is that the money needs to be better targeted (and in this case we are talking about some $10 million), he went on to say that, with the savings that can be made, people with more complex needs will be serviced by the money that would have gone into rent relief.

Although I understand the argument that the minister was putting forward, judging from the letters I have received as shadow spokesperson for Labor in the housing area I do not believe that he has actually answered the questions that I have put to him or the questions that people who have been on rent relief have been asking. An example I would like to use is a letter that I received from a Ms Jill M. From Mount Gambier, dated 17 October, which states:

> Dear Ms Key,
>
> I am writing to you regarding SAHT rent relief scheme, which was cancelled in May. I receive rent relief, but only found out last week about the new rules; they don't bother to tell us. I receive $10 per fortnight rent relief at the moment, but my six monthly review is now due by 23 October. As I have recently got an increase in my pension of $7.20 per fortnight, I assumed they would take away my $10 per fortnight, which was confirmed yesterday by Dean Brown's office, as I sent a letter of complaint to them.
>
> The new rules mean, if they take away my rent relief I cannot apply again for it, unless it is within four weeks of losing it. As I am planning to move to Adelaide when I can find a unit that I can afford, that SAHT say I can afford, as they pull the strings on what we can have, I will probably have to pay $125 per week. If I lose rent relief that means I would get $86 per fortnight from social security and would leave me $164 per fortnight to pay from my pension of $390 per fortnight.

My point, supported by Ms Jill M. from Mount Gambier, is that her situation will be greatly reduced by not receiving any rent relief concession. She goes on to say:

> My problem is from the time I find out if they are cancelling my rent relief, I will only have four weeks to find a unit in Adelaide right before Christmas. As I have a pet and no car it will be twice as hard for me to get one. The reason I have written to you is to really object to the government cancelling rent relief. Do they know how hard it is to live on a pension and live in private rental? I don't think so. This is going to make it much harder for everyone on a low income.
>
> There is a 13 year-plus waiting time in Adelaide for a two bedroom unit in areas I have inquired about: Semaphore, Henley Beach, Ridgehaven, Magill, Glenside. I have had my name down for six years at Mount Gambier, so it is impossible to get SAHT housing. They haven't built any new housing here for years and years. I know I am wasting my time objecting to the government's decision, but I [decided to ring and make my protest as I] think everyone should.
>
> Dean Brown's office told me SA was the last state to have rent relief, that it cost them $10 million a year and wasn't going to where it should have and they are now going to use it for disabled, etc. I told them they always find money for things that benefit themselves and people that are well off.

Time expired.

Mr MEIER (Goyder): I am very pleased that work is commencing on the construction of new storage dams at Paskeville. Members would recall that, last Easter, Yorke Peninsula was in a rather precarious position because the

water supply of much of the peninsula had to be cut off at a time when there was a massive influx of tourists. I want to compliment the tourists on being able to get round the problems, and also to compliment the locals.

To say that we rely on volunteers is an understatement. The issue at Easter was another classic case where, without volunteers who were prepared to truck in water, to distribute water and to ensure that water supplies were provided, Yorke Peninsula would have suffered a great loss. It is very pleasing that the new water storage dam is to be built at Paskeville. It is to be part of a $36 million regional water quality improvement program, which this government announced in May.

There will be a new 150 megalitre lined and covered storage dam. That should ensure that we do not have problems from the toxin that earlier affected our water supply. I had a look at the dams some time after Easter. This issue has concerned me for a long time and, when we talked about filtration of our water supply to Yorke Peninsula, I thought in one sense that it was a total waste of money, because we had filtered water coming to Paskeville and then going into earthen lined dams, not the best situation to occur, because your pure water was then mixed with the earth again and repiped.

However, in a short time that will not occur. That brings me to the situation of how we are going to tackle the need for additional water supplies on Yorke Peninsula. About a month ago I took the opportunity to go to Kangaroo Island for two or three days and look at their desalination plant. I was most impressed. This desalination plant cost some $3.5 million and produces water at nearly $2 per kilolitre. People might say, 'That's not economic, is it, because we're currently paying just under a dollar per kilolitre.'

However, the government is subsidising that on Kangaroo Island for Penneshaw, and it is quite clear that, with a continual increase in the cost of water over the next few years, it will not be very long before desalinated water will be very competitive with the natural water supply. Penneshaw has 250 people, and it has a 30 megalitre storage dam—which, by the way, was included in the $3.5 million, as was the road leading down to the desalination plant, and that in itself cost $500 000; so, in real terms, the plant cost $1 million. It is very much within the realms of reality on Yorke Peninsula, in some of our smaller areas, particularly down south.

In essence, this desalination plant sees sea water drawn through an intake pipe and pumped to a holding tank. The water is then forced under high pressure through an extremely fine membrane, a process called reverse osmosis. The membrane allows the water, but not the salt, to pass through, and about 45 litres of fresh water is produced from every 100 litres of sea water. The freshwater then passes out to a holding tank and up to a new reservoir storage. It is disinfected, and from there it can be pumped to the customers.

The interesting thing is that Penneshaw has up to 750 people in its peak period, and the 30 megalitre storage dam will provide it with a satisfactory water supply for the future. I hope we can look at that more for Yorke Peninsula as it will be the answer to many of our smaller problems at Marion Bay, Port Moorowie and even Point Turton. We are currently spending $150 000 looking at additional water supplies on southern Yorke Peninsula, and that may see us right for the immediate future. I am pleased that Paskeville will have a storage dam that will provide full quality water.

Mr HANNA (Mitchell): In parliament today I want to give just one example of failure by the Liberal government to care for those in our community who are disadvantaged. The constituent I will talk about today has four children. She was many years ago in a marriage that was characterised by domestic violence. She left that situation and was capably bringing up her four children aged 11, 10, seven and two years in a town not far from Adelaide. She had a one year lease on that private rental property. The landlord, without giving any reasons, gave her 90 days due notice to quit at the end of the lease. She had always managed to find accommodation up to that point but, although she had 90 days to look for alternative accommodation, she had great difficulty finding any alternative in the town where her children were going to school.

So, this constituent broadened the search by looking in the local newspapers and the *Advertiser* and by going to real estate agents. She could find nothing in the area around that town, so she resigned herself to the fact that she might have to look in Adelaide for accommodation and start the children in a new school. Unfortunately for her, at around the same time that she was given notice to quit her rental property she was involved in a car accident and her car was badly smashed. It was rendered undriveable, so she had four children essentially to carry around with her as she went to look for properties without the benefit of a car. Initially she went to the Housing Trust and was told about the waiting lists. She clearly needed something within three months so, although she qualified for rental assistance, that offer actually expired before she was able to find a place. This constituent is in the process at the moment of negotiating a further proposal for rental assistance, which may help.

The problem for a person in this woman's situation is the shortage of landlords who are willing to rent out their premises to a single mum with four children. She has tried dozens of possibilities, and every time there is someone more preferable from the landlord's viewpoint, not because she is a security risk or because of any obvious problem that she might cause but one can only assume that the fact that she is a single mum with four children has a lot to do with it.

This constituent has been staying with a friend in Mitchell Park, but there are people sleeping in the loungeroom and it is not a situation that can go on for much longer. She was asked about relatives and she has only a mother who lives in a one bedroom unit, so there were no family resources on which to fall back.

As the Auditor-General's Report shows, there has been a steady and considerable decline in the number of Housing Trust properties available for people in this situation. It has got to the point where, even though the policy of the Housing Trust under this Liberal Government is essentially that only desperate welfare housing should be provided at a public level, even those people who are desperate, in need of housing and on social security benefits are not able readily to find Housing Trust properties. So, the situation is becoming quite desperate for a lot of people.

I wanted to bring that one example before the parliament because the minister responsible for housing and all government members should take note that they are virtually turning people out into the street because of the rundown in trust properties. I do not mean the deterioration of the properties but the sell-off of Housing Trust properties, resulting in a Housing Trust rental property shortfall. There are therefore women like this who virtually will have to live on the street.

Time expired.

Mr LEWIS (Hammond): There are several matters I wish to address, the first being a practice of the Department of Primary Industries. I am pleased that the minister is here at the table to hear these comments as they mostly relate to his portfolio. Its practice is to use traffic infringement notice expiation forms, put a PIRSA (Primary Industries and Resources SA) stamp on it and issue it as an expiation notice against sheep graziers who have sheep that are found to have lice on them, (whether serious in terms of their numbers or not) and to draw attention to the fact that, effectively if you own sheep with lice you are now a criminal because criminals—people who speed and otherwise break the law or road traffic laws—have to pay a levy towards victims of crime fund.

On the expiation notice that was issued to one of my constituents at the Strathalbyn sheep markets recently—and several such notices were issued—he has to pay within 28 days not only the expiation fee (and I will come to that in a minute) but also a levy for the victims of crime. That is a bit rich. The government clearly is running out of what I consider to be concern for the effect of its policies and laws on the citizens governed by those policies and laws when the it to imposing not only an expiable fee on a sheep grazier, however modest, but also a contribution to victims of crime.

I wish next to draw attention to a couple of other things that are not in the minister's purview. One is the Torrens Parade Ground and my belief that the RSL ought to be given access to that facility, whether a shared facility or not. I cannot imagine a more appropriate organisation to look after, to provide and help mount the exhibition of military museum pieces and memorabilia of one kind or another. As it stands, the government of the day is being even more bloody-minded in its attitude to the RSL in Angas Street than it was in 1980 when it compulsory acquired the Vesty's property to erect the Hilton Hotel in Victoria Square. Clearly another laneway has to be opened between Carrington and Angas Streets. That is in lieu of the one being closed between the present police building and the old Housing Trust building which is derelict. That will mean that the RSL building is in the way and has to be demolished or at least partly so. The RSL needs to find another home. I declare my interest as a member of the RSL: I am not ashamed of that in the least. I think that it is just as well for all of us that the people who did go overseas—

The Hon. G.M. Gunn: It is a very worthy organisation.

Mr LEWIS: Yes. It is about time that they were given a fair go. I do not think it appropriate to follow on the call that has been made in the press recently that front numberplates be put back on motorcycles. They kill people. The damage they will do if the rider comes off is far greater than the benefit of being able to photograph them. All we have to do, frankly, is put a chip on the front of the motorcycle that can be read by a chip reading camera. You do not have to have a great lump of sharp metal sticking up in front of the driver that will slice him to pieces if he comes off.

The other matter of concern to me that will be of interest to the minister is the stupid policy of not pursuing people who are contributing to the risk of us losing our clean and green image by not prosecuting those who are using antibiotics to control American foul brood in the swarms of bees in their hives. Such hives should be simply wiped out by burning them so that we can bring this disease under control, if not eradicate it. If we go on doing this, we not only endanger human health but we also put at risk the hundreds of millions of dollars of export markets for our foodstuffs under the clean and green image that we have spent so much money to establish and produce. If the minister does not do something about this matter fairly soon, he will find that he will have a revolt on his hands from amongst the bee keepers and, more particularly, the people who consume the honey without knowing that it is contaminated.

Time expired.

ECONOMIC AND FINANCE COMMITTEE: INDUSTRY ASSISTANCE

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

That the 31st report of the committee, on South Australian government assistance to industry, be noted.

I commend the report to the House and hope that every member gives due attention to the evidence and to the committee's findings, and I am sure they will be better informed—

Mr Atkinson: Perhaps you can tell us something about it.

The Hon. G.M. GUNN: I leave it for the honourable member's bedtime reading. Committee members have given a great deal of attention to this matter and are of the view that the recommendations we have made are worthy of consideration by this House and by the government, because they will be in the best interests of the people of this state.

Mr LEWIS secured the adjournment of the debate.

PUBLIC WORKS COMMITTEE: ROBE TERRACE

Mr LEWIS (Hammond): I move:

That the 130th report of the committee, on the Robe Terrace upgrade, be noted.

The Adelaide Better Roads Program was developed to coordinate the overall project development and delivery of a number of infrastructure and non-infrastructure improvements in the inner city ring route, the outer city ring route and connector roads. One of the proposed improvements involves the upgrading of Robe Terrace between Main North Road and Northcote Terrace.

Mr Atkinson: What about the palm trees?

Mr LEWIS: That is an interesting point. The proposed redevelopment will be entirely within the existing road reserve, except for the 60 square metres encroachment into the parklands on the Mann Road corner—entirely appropriate, as I see it. There is no private land requiring acquisition for this project, and approximately 1 500 square metres of surplus land on the road reserve east of Medindie Road is to be returned to parklands.

Mr Atkinson: Hear, hear!

Mr LEWIS: I agree with the sentiments expressed by the member for Spence. The essential features of the project involve developing the road as a four lane dual carriageway with raised medians, protected turning facilities, indented parking on the southern side with a two-way service road that has indented parking on the northern side; making the road suitable for efficient use by buses; creating improved pedestrian facilities; and improving facilities for cyclists—and I know the member for Spence will appreciate that point.

Mr Atkinson: Does Medindie Road stay open?

Mr LEWIS: No. The estimated capital cost of the proposed project is $7.1 million, but it will provide economic benefits derived from improved road safety performance, reduced current maintenance costs and some reduced travel

time for road users. The present value of those savings over a 30 year period, shifted from the future to the present, is $9.25 million. On this basis, the benefit cost ratio for the project is 1.43 to 1, and the net present value about $2.8 million, assuming a discount rate on the funds deployed at 7 per cent.

The project is intended to be completed by September next year, and will satisfy a number of regional and local functional transport requirements. These are: to improve safety and efficiency for all road users, including the heavy vehicles that traverse it; to create an efficient and vital link for all traffic movements through the area; to contribute to achieving an effective inner city ring route around the city centre of Adelaide as part of the Adelaide Better Roads project—

Mr Atkinson: Tell us about Medindie Road.

Mr LEWIS: —in a minute—to improve safety and access for local road users; to minimise the social impact on the community; and to minimise life cycle costs. The work will meet these requirements by providing: increased safety for right turn movements along Robe Terrace with the provision of protected right turn facilities in the central median; improved safety for cyclists by the introduction of cycling facilities at the Robe Terrace-Walkerville Terrace intersection and along Robe Terrace; improved visual amenity by the provision of extensive landscaping to the central median, service road separator and other areas, which includes the planting of mature trees; reduced noise and vibration levels for residents by moving the road farther south away from their homes and using noise reducing asphalt; and reduced maintenance and vehicle operating costs.

Mr Atkinson: You will have a service road on the northern side?

Mr LEWIS: Yes, the member for Spence is correct in that respect. This project, with the others in the inner city ring route, will reduce traffic movements through the city of Adelaide, particularly along North Terrace, and make movement within the metropolitan area more efficient. This is consistent with the Adelaide City Council's wish to reduce traffic through the central business district, particularly North Terrace, by encouraging the use of Wakefield Street as an east-west through route.

The committee understands that the Adelaide City Council and the Walkerville Town Council have endorsed this project, and it has the support of Robe Terrace residents and the wider community. During the inception phase of the project, Transport SA took steps to provide the general community with regular updates about it and to liaise closely with effective stakeholders to avoid adverse impacts where possible. The agency also used the information gathered during the consultative process to improve the development and refine the options.

The committee also understands that the proposal will comply with the objectives of the Historic (Conservation) Zones affected, and Transport SA also will consult the National Trust concerning the avenue of palm trees along Robe Terrace within the Medindie policy area.

Mr Atkinson: What about Medindie Road?

Mr LEWIS: That is a problem, and I am sure that the member for Spence—

Mr Atkinson: Tell us what's going to happen.

Mr LEWIS: Medindie Road will remain as is. Pursuant to section 12C of the Parliamentary Committees Act, the Public Works Committee reports to the parliament that it recommends the proposed public work.

Motion carried.

PUBLIC WORKS COMMITTEE: MOUNT PLEASANT WATER TREATMENT PLANT

Mr LEWIS (Hammond): I move:

That the 131st report of the Public Works Committee, on the Mount Pleasant Water Treatment Plant—final report, be noted.

SA Water proposes to construct a water treatment plant at Mount Pleasant to provide filtered water to customers served by the water distribution system of Mount Pleasant, Springton and Eden Valley in the northern Adelaide Hills area. At present, water supplied to the communities of the northern Adelaide Hills is pumped directly from the Murray River via the Mannum-Adelaide pipeline. It is continuously disinfected and its quality is regularly monitored. However, the water is unfiltered, of poor aesthetic quality and microbiological quality is difficult to maintain.

The proposed plant will produce filtered water that will meet or exceed the water quality standards of the Australian drinking water guidelines and will be effective in controlling cryptosporidium and giardia. It is the priority project for water quality improvement in the area because:

· Mount Pleasant distribution system has the largest population of all the systems;

· there is a greater risk to microbiological performance due to the large area covered by the distribution system;

· it is the only distribution system for which a dedicated water treatment plant is the most economical method for provision of filtered water; and

· it presents a suitable opportunity for SA Water to apply a new treatment process, that is, magnetic ion exchange dissolved organic compound processes.

Commonly referred to as MIEX, it reduces colour and the majority of dissolved organic carbon in water is removed. The committee understands that the MIEX process will reduce the levels of chlorine needed to achieve disinfection and thereby reduce undesirable disinfection by-products, chlorinous tastes and odours, and unfortunate consequences of high levels of chlorine on both public and private infrastructure. The committee also understands that the MIEX resin is an inert substance that does not present any significant safety or environmental risks to the drinkers of the water or the surroundings in which it will be used.

As well as improving the Mount Barker water supply system, the proposal will address the customer dissatisfaction caused by bad taste, bad smell and high turbidity of the water. It will allow SA Water to develop design criteria and intellectual property for the application of this MIEX technology for new plants or in combination with existing water treatment processes. It will also provide SA Water with experience of microfiltration and the MIEX processes that will be of benefit in designing other such works for the improvement of water quality elsewhere in South Australia and overseas. It will enable SA Water to meet its agreement with Orica to have a commercially operational MIEX process plant serving customers as a demonstration site for the marketing of the MIEX resin, and it will enable SA Water to benefit commercially from royalties on the sale of the resin and the enhancement of its reputation in respect of water industry innovations.

The water treatment plant option is preferred to pipeline extension from the existing water treatment plant at Summit Storage because the whole of life net present value costs indicate it is more economic and it offers better microbiological water quality because it avoids the problem of maintain-

ing quality in the water transported in the pipelines over long distances.

The incorporation of MIEX will test its integration into the most commonly used water treatment process. The committee is told that any significant large-scale investment in the MIEX process requires operation on a full-scale prototype plant in order to identify design criteria for the economic design of larger facilities—if, when and where they are needed. The size of the proposed water treatment plant will enable it to be developed quickly. Being relatively close to Adelaide, its location is suitable as a demonstration site for marketing the MIEX technology and thereby maximising the opportunity for SA Water to benefit commercially from the royalties generated from the sale of the resin.

Further, it will be the first full-scale plant of its type anywhere in the world. The committee understands that recent developments in North America suggest there may be mandatory improvements required in local water quality within the next five to 10 years in that market. The incorporation of MIEX and microfiltration into the plant design will provide SA Water with experience in the areas where these changes are projected and will be of benefit in designing other works for the improvement of water quality in South Australia and the marketing of the same to other places.

The committee is impressed at the scope of the potential market for the MIEX technology. However, it is concerned to learn that the decision to proceed with the proposed plant has been made prior to an appropriate marketing strategy being developed by SA Water and in the absence of access to Orica's marketing analysis. In other words, it is pretty much an act of faith on the part of the government and not one which could have been more rigorously determined as to whether or not it is appropriate.

The committee is aware that internationally competing processes are also being developed to meet the expected demand for improved removal of chemicals from water. It is for that reason that the committee has made inquiries regarding the degree of risk attached to this proposal and whether it outweighs the additional cost associated with developing the project as a demonstration plant. But, after receiving assurances from the minister—on which we hope we can rely—the committee has not pursued this matter further.

The estimated cost of the project is $7.5 million. The financial evaluation indicates a net present value cost of $4.7 million and a benefit-cost ratio then of 1 to 0.04. The corresponding economic evaluation indicates a net present cost of $3 million and a benefit-cost ratio of 0.4. The evaluations indicate that the present value of economic benefits achieved over the life of the project is approximately $600 000, resulting mainly from improved water quality for customers. So, pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public work.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE: FREEDOM OF INFORMATION ACT

Mr CONDOUS (Colton): I move:

That the report of the committee on the Freedom of Information Act 1991 be noted.

I wish to make a report on the Legislative Review Committee's review into the operation of the Freedom of Information Act. The act was passed in 1991 and the Legislative Review Committee has completed a detailed examination of the operation and effect of the act. In conducting a thorough and detailed inquiry of the FOI legislation, the committee has heard a number of witnesses and received a significant number of submissions from a wide range of people, agencies and organisations. The committee has also considered a significant number of Australian and overseas reports on the operation of freedom of information legislation.

The South Australian legislation was first introduced in 1991—almost 10 years ago. A review of the operation of the act is more than timely. When it was passed by the parliament, the FOI act was designed to provide a legislative basis to allow the public access to official documents. The intention was to allow for public access to government documents, subject only to those restrictions that are necessary for the proper operation and administration of government. The act sets out a legislative basis of allowing public access to government held information and establishes an involved scheme which sets out a range of exempt agencies, exempt documents and a set of cumbersome procedures which operate to make the implementation of the objectives of the act unwieldy, time consuming and expensive.

The operation of the act is such that one witness before the committee considered that it would be more appropriately named the 'freedom from information' act. From the evidence that the committee heard and considered, Sir Humphrey Applebee of *Yes Minister* would have had a field day in preventing the disclosure of any meaningful information in the way in which freedom of information had developed in Australia and South Australia, in particular.

Undoubtedly, the act has worked well in the area of giving access to personal information. In 1989-99, there were over 6 800 requests for information under the act, and only about 5 per cent of these applications were not granted in total or in part. This is the positive side of the operation of the freedom of information legislation. The negative side is that access to information that is not personal information, such as policy-type information, has not been anywhere near as effective.

The Freedom of Information Act has not provided the public of South Australia with anything like the access to information about the operation of government that was intended and anticipated when the act was passed. The committee has received a considerable volume of evidence on the extent of the problems involved with the operation of the FOI Act.

The first major area of difficulty is the actual terms of the act itself. As I have indicated, the act has a wide range of exempt agencies and documents containing the schedules to the act. This has the effect of making the operation of the act far too complex and uncertain—a matter raised in evidence before the committee by many witnesses. For an applicant to exercise their legally enforceable right of access to information when an agency wishes to avoid supplying that information, an applicant would need to be very determined and well resourced.

Secondly, many witnesses were concerned about the way in which a public service culture had developed of antipathy and even antagonism towards the FOI Act. The phenomenon of a public service culture of indifference to FOI was noted not only by the Legislative Review Committee but also by the commonwealth Ombudsman in his own motion report of last year, entitled 'Needs to know'.

The combined 1995 report by the Australian Law Reform Commission and the Administrative Review Council, entitled 'Open government—a review of the federal Freedom of Information Act 1982', referred to and noted with concern the persuasive nature of public service indifference to FOI.

The third area of concern found by the committee was that of process. The act provides a lengthy review process commencing with internal review by the agency to whom the application was made and then external review either by the ombudsman, Police Complaints Authority or the District Court. If an applicant does not go to the District Court in the first instance, there is the option of a further appeal to the District Court from a refusal of access by the Ombudsman or the Police Complaints Authority.

The whole FOI review appeal process can amount to a protracted and expensive business for an applicant seeking information to which they may have a clear legal and statutory right of access under the FOI Act. The unanimous and overwhelming view of the members of the Legislative Review Committee was that the operation and drafting of the whole FOI Act needs a drastic revamp.

The committee has responded to the evidence it has heard, read and studied in detail. The committee has made three basic recommendations in relation to the issues that I have identified. First, the committee has recommended that the current list of exempt agencies and exempt documents be simplified and made subject to a single, simple test known as the public interest override. That test is based on whether or not it is contrary to the public interest to release the information in question.

Secondly, the committee recommends that a centrally coordinated program of education, training and accreditation be implemented throughout all sectors that are subjected to the Freedom of Information Act. Thirdly, the committee recommends that the review process be revamped, removing the internal review process, with all external review being dealt with by the office of the Ombudsman/Information Commissioner. There should be a right of appeal to the courts but only on questions of law.

The committee has had drafted a freedom of information bill based on the New Zealand Official Information Act. In the opinion of the committee, the draft bill will provide South Australia with an effective and successful freedom of information regime. The adoption of the bill will overcome the problems that the committee has found inherent in the operation of the South Australian FOI legislation.

The evidence available to the committee is that the New Zealand model is quicker, is accepted by the public service, the public and all shades of political opinion, and is more cost effective for agencies to administer. The adoption of the draft bill will result in an improvement in the way information held by the government is made available to the people of South Australia. I urge all members to read the whole report but at the very least members should read the executive summary.

The committee recommends that a revised and updated list of exempt agencies and restricted documents be made subject to a public interest override. As part of this, the committee is of the view that the South Australian legislation ought to contain the following features:

1. a clear definition of agencies covered by the legislation;

2. a principle of deemed consent to the release of documents in the absence of a response by an agency;

3. the development of guidelines for public servants involved in FOI decision-making on the application of the public interest override test;

4. the Ombudsman/Information Commissioner should publish and regularly review these guidelines;

5. in the case of any outsourcing on the part of government, a provision deeming that all documents that might be subject to a successful freedom of information application be deemed to be in the possession of the contracting agency;

6. the process of separating regulatory functions from commercial functions in GBEs be continued with information pertaining to the former function being subject to freedom of information legislation; and

7. GBEs that are a natural monopoly be subject to freedom of information legislation.

The committee recommends that a centrally coordinated program of education, training and accreditation be implemented by State Records throughout all sectors that are subject to the Freedom of Information Act.

The committee recommends that appropriate software systems be made available to both the public service and the public to enable freedom of information to keep up with the increased pace of developments in information technology.

The committee believes that, with programs for education and training the public service, the general public will rapidly accept the concept of freedom of information based on the release of all government held documents other than those where release is against the public interest.

The committee recommends that the review process:

1. remove the current internal review procedures;

2. confine all external review to the Ombudsman/Information Commissioner, with a limited right of appeal to the District Court on errors of law only; and

3. give powers to the Ombudsman/Information Commissioner to formally conciliate and mediate on disputed applications.

The draft bill is similar to the New Zealand legislation in providing access to all government information, including cabinet documents, except where there are good or conclusive reasons not to provide that information, or the provision of that information is against the public interest. A draft bill prepared by the office of Parliamentary Counsel on the instructions of the committee incorporates the principles and methodology of the New Zealand legislation, and also meets the particular needs and requirements of South Australia.

The committee commends the draft bill to the parliament and the people of South Australia, and recommends that the bill be widely circulated for full public discussion and comment.

Mr LEWIS secured the adjournment of the debate.

PUBLIC WORKS COMMITTEE: HOPE VALLEY RESERVOIR REHABILITATION PROJECT

Mr LEWIS (Hammond): I move:

That the 132nd report of the committee, on the Hope Valley Reservoir Rehabilitation Project—final report, be noted.

In 1996, SA Water commissioned a risk assessment of its 17 large dams. The report ranked the dams to ensure that a program of rehabilitation projects would achieve the most cost effective rate of risk reduction. Hope Valley rehabilitation was rated as one of the highest priority projects. Approximately 450 people reside between the reservoir and the

Torrens River in the area that would be rapidly inundated following dam failure. Consequently, a dam failure could lead to significant loss of life and substantial infrastructure costs. In addition, reconnection of the water supply to all affected consumers would take several months.

The primary aim of the project is to ensure that the best practice dam engineering standards are applied so that the probability of dam failure is as low as practicable. The project involves a minimal stabilising fill or berm across the central portion of the dam. Construction of the berm can only be undertaken during the winter as it will be necessary to take the reservoir out of service for several months, placing a filter system over the downstream face of the embankment beneath the new berm which will help to limit the movement of the fine soil particles and subsequent localised collapse of the dam wall or a total dam failure.

The project also involves raising the reservoir wall by half a metre and lowering the maximum reservoir operating level by one metre to provide the required storage capacity for flood waters and upgrading the upper and lower level outlets. The upper outlet will allow rapid draw down for emergency release of water if a problem occurs that threatens the safety of the dam. The lower outlet will act as a scour drain to remove stale water that can stratify and collect at the bottom of the reservoir. The project has an estimated capital cost of about $8.8 million but there will be no change in the reservoir's operating costs.

The committee is told that consultants engaged to undertake a comparative net present value assessment of costs and risk analysis of various options in the financial assessment concluded that the proposed project is the least cost solution. Each option achieves a 100 fold reduction in the risk of failure compared to the 'do nothing' option. However, the chosen solution also improves the probability of being able to warn residents in the event of any problem occurring.

The target date for the project completion is September next year and the construction will be split into two stages. Stage one will be completed as soon as possible to reduce the risks associated with the operation of the reservoir. The construction of the berm in stage two requires the lowering of the reservoir from the end of summer next year.

The proposed works will reduce the risks associated with the Hope Valley Reservoir to a level that is as low as reasonably practicable in accordance with modern international standards. The committee understands that SA Water has engaged a panel of experts who will review the suitability of the rehabilitation works with particular emphasis on dam safety design and construction issues.

The expert review panel will be asked to review the final design documentation to confirm that the required level of risk reduction has been achieved. Investigations are also occurring into possible early warning systems for the dam. Contractors will be required to submit a plan for the delivery of quarry materials to the site so that truck routes and delivery times can be determined with due consideration to their impact on local residents, businesses and traffic flow.

The committee is told that important reservoir safety outcomes are expected from this project and will reduce the risk of failure in any one year from one in 2 000 where it stands at present—that is lot higher than the risk of anything happening to you if you eat genetically modified food, yet we live with it—to a risk of one in 320 000.

These safety outcomes include: a significant reduction in the risk of breach due to internal failure of the dam wall; a significant increase in the stability of the dam wall under normal operating conditions; a significant reduction in the risk of dam wall failure by ensuring the reservoir is capable of containing the flood resulting from the most severe rainfall event that could be expected upstream of the dam; and a significant reduction in the risk of failure due to an earthquake and an increased security of water supply system service by Hope Valley reservoir.

Accordingly, the committee pursuant to section 12C of the Parliamentary Committees Act 1991 reports to the parliament that it recommends the proposed public work.

Motion carried.

PUBLIC WORKS COMMITTEE: FOOTBALL PARK GRANDSTAND

Mr LEWIS (Hammond): I move:

That the 134th report of the committee, on the Football Park Grandstand—final report, be noted.

I am amazed that no-one is interested in that enormous safety matter now being addressed. In November 1999 the Premier issued a media release relating to the construction of a new grandstand at Football Park. In it the Premier announced that:

> The state government will contribute $7.65 million to the $14.5 million project. The total cost for the 7 000 seat grandstand is estimated at $12.5 million with an additional $2 million required for the purchase of Department of Administrative and Information Services land to create an extra car park.

The Premier quoted the President of the South Australian National Football League as having said:

> Without the government's support the South Australian National Football League could not fund the new facility.

The new grandstand clearly seemed to be a 'public work' and the committee expected the matter to be referred to it. That did not occur.

The Premier turned the first sod—now I am talking about some grass and soil, not some gay fellow—for the new grandstand on 20 June and was again reported as saying that the government was putting $7.6 million towards the project. Confirmation of public funding appeared in Budget Paper 2 (page 4.8) which stated that the government would contribute $1 million towards 'extra seating at Football Park' in the year 2001-02 and a further $1 million in 2002-03.

During the estimates committee hearings, the Minister for Recreation, Sport and Racing advised that the 'final costings from the South Australian National Football League for the government contribution are about $7 million to $8 million', but later he said that 'the money is being used to assist paying off a loan'. On 18 July, the Premier advised the committee that:

> None of the money will be provided directly to the cost of construction and the government does not assume any construction risk or liability for any blow-out in the cost of the grandstand. Further, the government has not guaranteed the loan facility.

The Premier also advised that provision of extra car parking was 'required by the council as a condition of approval of the new grandstand'. However, the principal planner of the City of Charles Sturt has advised the committee that the new grandstand is a complying form of development. That means that the council was not able to impose conditions on the application to construct the grandstand: it was allowed to go ahead, anyway. So, what the Premier said was, dare I say it—well, I am not sure what I can say—at odds with what the Charles Sturt council told the committee about whether the City of Charles Sturt required the extra car parking as a

condition of approval. In particular, the council did not require additional car parking as a condition of approval.

As at 16 August this year the land in question was still owned by the government. The committee has referred this project on its own motion pursuant to section 16(1) of the Parliamentary Committees Act 1991 because it cannot reconcile the following points: clear public announcements have been made by the government that it is giving substantial financial assistance to the South Australian National Football League for a capital work costing in excess of $4 million; and, in addition to that, we cannot reconcile the Premier's advice that government support is being provided in such a way through 'certain contributions to loan repayments over the life of the loan' with the fact that it does not constitute a public work.

The committee is concerned that the project should have been referred to it pursuant to the requirements of the Parliamentary Committees Act. Unfortunately, the Premier's advice reflects no understanding whatsoever about the manner, or extent, of government support for this project and it is at odds with earlier statements made by the Premier and the President of the South Australian National Football League. So, who is telling porkies?

The committee is also aware that a new bus terminal and bus priority lanes costing $2.3 million will be built at Football Park and 'completed in time for the opening of the new grandstand with increased seating capacity'. A media release from the Minister for Transport did not say whether the work and the scope are due to the additional traffic that will follow from the construction of the grandstand, but you could have a bet on that.

To determine whether construction of the new grandstand at Football Park is in the public interest and is not proceeding in breach of the Parliamentary Committees Act, the Public Works Committee needs to learn: the extent, nature and timing of financial support given to the South Australian National Football League to construct a grandstand at Football Park; the perceived need for such expenditure of public funds on private land; why the government support for the construction of a new grandstand at Football Park avoids the project being referred to the Public Works Committee pursuant to the requirements of the Parliamentary Committees Act; the purpose to which the $2 million referred to in this year's budget papers for 'extra seating at Football Park' will be put; the assessed value of the land being sold to the South Australian National Football League for additional car parking; whether other parties were given the opportunity to bid for the Department of Administration and Information Services' land and, if not, why they were not given that opportunity to bid; whether an interest component is included in the purchase price of the land; and the extent and the additional cost, if any, of improved bus facilities at Football Park required as a consequence of the government's support for the new grandstand.

Altogether then, the Premier has informed the committee that in the Crown Solicitor's view—now that is an interesting one—the government's support for the new grandstand does not constitute a 'public work'. What you get from the Crown Solicitor is what you have asked for, as I have come to appreciate. The committee is concerned that government support for the grandstand may have been provided through a mechanism devised to avoid scrutiny and accountability in relation to the expenditure of public money. Let me repeat that: the committee is concerned that the government's support for the grandstand may have been provided through a mechanism, a device, which has been devised to avoid scrutiny and accountability in relation to the expenditure of public money. Because of this the committee has asked the Auditor-General to consider the implications such a mechanism may have on future projects and on established processes for the accountability and the transparency of their reporting. Pursuant to section 12C of the Parliamentary Committees Act, the Public Works Committee recommends to the parliament that it note this report.

Motion carried.

PUBLIC WORKS COMMITTEE: LE MANS TRACK

Mr LEWIS (Hammond): I move:

That the 134th report of the committee, on the Le Mans Track project—final report, be noted.

In April 2000, the government entered into a race staging deed with the American entrepreneur who owns the rights to utilise the 'Le Mans' intellectual property. Pursuant to this deed, a special Le Mans race will be held in Adelaide from 4 p.m. to 10 p.m. on 31 December this year—and it is called 'The Race of a Thousand Years'. Thereafter, at the government's option, Adelaide will host an annual round of the International Le Mans series.

The Public Works Committee is told that the government will pay a licence fee to the promoter, Panoz Motorsport Australia, for bringing the event to Adelaide and in return will receive a contribution towards the circuit construction costs. The committee is also told that the extensive television coverage is a fundamental term of the race staging deed. The proposal is expected to generate significant media exposure for South Australia and build on its international reputation for staging major motor sport events. It will also provide a significant opportunity to promote tourism to South Australia internationally, particularly given that the race follows the Olympic Games in Australia—well, it is a bit later than that.

The committee has been told that, first, the race promoter has a licence to run the race for another nine years and, secondly, that South Australia has a contract with the promoter that operates for the life of that licence and provides the state with a one plus four plus four option. The South Australian government is required to construct an appropriately licensed international standard motor racing circuit situated on the site of the former Australian Formula One Grand Prix circuit. Panoz Motorsport Australia will manage the race and will also bear all financial responsibility for the event's commercial success.

The fixed capital works (such as track works, kerbing, plumbing and power supply) will be at or below ground level on public roads and parklands. All above-ground capital works, such as barriers, overpasses and fencing, will be removable. Overpass footings will be flush or slightly below natural ground level.

The committee understands that all capital and temporary infrastructure above ground level will be removed at the conclusion of the event, and the parklands will be restored to a standard comparable to that existing prior to the event. The parklands outside of Victoria Park Racecourse will be cleared by 25 January or earlier, if possible, which means that the parklands inside Victoria Park Racecourse will not be cleared by that date. Roads will reopen with effect from 2 January,

with the exception of Wakefield Street, which will be open by 4 January.

So as to minimise the recurrent costs of staging two street events within three months of each other, the budget has been based on the retention of 'certain items' in situ in Victoria Park and, where appropriate, elsewhere. Because of a significant potential overlap in the time needed to construct and dismantle the facilities for the Le Mans and Clipsal 500 races, it is planned to retain them in Victoria Park until after the Clipsal 500 race. All assets will be removed within about four weeks of the Clipsal 500 race, so I am told.

Public access to Victoria Park is not expected to be significantly impeded. The committee accepts that there will be no permanent alienation of the parklands but is concerned that public enjoyment may be diminished by damage to vegetation (particularly the grassed area underneath the stands in the Victoria Park Racecourse vicinity) by the capital works.

It is assured that a biologist-ecologist is employed to advise how to protect the grass to prevent bare patches in winter and that his advice will be finalised during the construction process. In fact, the committee sought an assurance that an agronomist, suitably qualified, from the Waite Institute would be consulted about that process and was assured that such would be the case.

Despite also being assured that it is critically important for the parklands to be immaculately presented for the race's international audience, the committee is concerned at the construction period required—11 weeks for the Le Mans event and nine weeks for the Clipsal 500. The committee is of the view that problems may be compounded when certain capital works are left in place between the events for reasons of economy.

The committee lacks final advice from the proposing agency's biologist at this time, as well as details of the comparative cost of constructing and pulling down the buildings as opposed to the cost of restoring parklands vegetation. It is the sward of grass that is to be virtually destroyed. The wellbeing of the parklands needs to be taken into account when dates for future events are determined.

Matters about which there is some ambiguity and public concern will be more precisely addressed at the hearing of the proponent's proposal next year. In particular, the committee expects to be informed about the impact upon the parklands and the actual costs of staging this event.

The capital works are expected to cost between $1.8 million and $1.9 million to provide an appropriate street circuit and an international track licence. Most infrastructure and equipment will be drawn from that used for the Clipsal 500. The committee understands that the recurrent cost is between $4.58 million and $6.04 million. The actual cost will depend on the level of corporate hospitality, ticket sales and the facilities necessary to support the international teams participating in the event and the number of international and national media attending it.

Gross state product will benefit through sponsorship, 6 700 participants or corporate guests, and 10 000 to 13 500 general spectators from outside the state. There will be a return to our state's revenues of the order of $1.4 million to $2.1 million, we are told, through payroll tax and other state taxes on the increase in economic activity. In a best case scenario the additional gross state product expected is $30 million and 650 jobs, and $20 million and 413 jobs in the worst case scenario—which is not bad.

The committee understands that significant consultation has been undertaken to ensure that, first, the most efficient construction and road closure schedule can be met; secondly, that the post-Christmas sales period and the date chosen to celebrate Proclamation Day are disturbed to the least possible extent by traffic disruption; thirdly, that horse racing meetings at Victoria Park are not disrupted; and, fourthly, that there is no interference with the 2000 Adelaide International Horse Trials.

Given this evidence and pursuant to section 12C of the Parliamentary Committees Act, the Public Works Committee reports to the parliament that it recommend the proposed works.

Ms THOMPSON secured the adjournment of the debate.

SOCIAL DEVELOPMENT COMMITTEE: RURAL HEALTH

The Hon. R.B. SUCH (Fisher): I move:

That the 13th report of the committee, on rural health, be noted.

The committee was originally given a term of reference in another place on 3 July 1996, and that was adopted on Wednesday 31 July 1996. However, the select committee that was appointed to look into the Voluntary Euthanasia Bill 1996 and had begun preliminary investigations was disbanded automatically when South Australia went to the polls in October 1997.

The reference into the Voluntary Euthanasia Bill 1996 was transferred to the Social Development Committee in March 1998 and, as a consequence of the high expectations of the thousands of organisations, agencies and individuals who had already made submissions to the select committee, the inquiry into rural obstetrics was deferred until the Social Development Committee had concluded its review of the Voluntary Euthanasia Bill 1996.

On 4 June 1999 it was agreed that the Hon. Sandra Kanck revise the original terms of reference for the Social Development Committee, and they then became as adopted:

To examine, report on and make recommendations about health services in rural areas, with particular reference to:

i. access to a complete range of services, with emphasis on acute care, mental health and obstetrics;
ii. adequacy of facilities and equipment;
iii. availability of appropriately trained medical and nursing staff;
iv. the impact of medical indemnity insurance, including:
v. the role played by government in the negotiating and brokering of medical indemnity insurance
vi. improvement in the claims management and work practices by the medical profession with a view to reducing the number of claims and therefore reducing the cost of medical indemnity insurance;
vii. the role of the legal system and its effect on the cost of medical indemnity insurance;
viii. the impact of regionalisation; and
ix. any other related matter.

As members can appreciate, that was quite a task. The committee quite specifically did not address or seek to address the issue of Aboriginal health. This was no reflection on the importance of that issue, but it felt that it could not do justice to Aboriginal health as part of this inquiry because more time and resources would be required than were available to the committee. However, some general comments relating to Aboriginal health needs are made in the report.

Initially, the committee sent out questionnaires to 79 health agencies, including regional health services, hospitals and boards, community health and Aboriginal health organisations, and divisions of general practice. The response rate was only 24 per cent. However, the responses were sufficient to provide insight into the needs of rural South Australians in terms of health requirements.

The questionnaire posed a series of questions, which I will not outline as they are available in detail in the report. The committee decided to travel to regional areas to hear evidence and to undertake community consultation. It visited five of the seven rural regions—the South-East, Riverland, Eyre, Northern and Far Western and Wakefield regions. It was considered that, should they wish, representatives of the two other regions—the Hills Mallee Southern and Mid North—could travel to Adelaide or Port Augusta, Berri or Wallaroo to present their viewpoints without being inconvenienced excessively by distance.

Committee members took evidence and had on site tours of the following health centres: Naracoorte, Berri, Port Lincoln and Cleve (which is part of a multi-purpose service, which includes Cowell and Kimba), Port Augusta and Wallaroo. The committee also visited the South Australian Centre for Rural and Remote Health, based at the University of South Australia Whyalla Campus. The committee began taking evidence 8 December 1999 and concluded its hearings on 5 May 2000 and heard from 91 people representing 47 health organisations, agencies or groups and nine individuals.

The recommendations of the committee included, first, in respect of general practitioners:

1. Overseas trained doctors who are appropriately accredited be encouraged to fill vacant positions in country South Australia where there are no Australian trained doctors willing to take up those positions.
2. Overseas trained doctors be given access to rural and remote general practice programs.
3. The Australian Medical Council examinations be reviewed to ensure that any inequities and unnecessary barriers to overseas trained doctors gaining entrance to country practice be removed.

In respect of education and training, the committee recommended that:

4. Exchange programs be initiated to support health professionals in the country to upgrade and expand on their qualifications.
5. Doctors and nurses, undergoing further training, and allied health students undertaking rural placements, receive financial support during their training to help defray out of pocket expenses.
6. Commonwealth-funded scholarships be made available to all health care professionals.
7. Undergraduate medical, nursing and allied health courses put more emphasis on equipping students to be generalists.
8. Training schemes be established to allow health professionals to train within their own region.
9. University Departments of Rural and Remote Health be requested to include allied health professionals on their advisory and steering committees.
10. The number of training places be expanded to encourage more doctors to train as general practitioners.

In respect of nurses the committee recommended:

11. The federal government give nurse practitioners a restricted provider number to enable them to order an appropriate range of investigative reports.
12. The federal government give nurse practitioners limited and appropriate prescription rights for pharmaceuticals.
13. The training and induction of nurse practitioners be accelerated and promoted.

In regard to recruiting and retaining allied health professionals, the committee recommended:

14. Recruitment and retention incentives be expanded to include allied health practitioners.
15. Financial and housing benefits be allocated to help in recruiting and retaining rural nurses and allied health workers.

In regard to communication and information, the committee recommended:

16. The numbers of all community 24-hour access services be:
- included and displayed prominently in the country editions of the Telstra White Pages and in the Yellow Pages;
- promoted in local and regional media as a community service;
- prominently displayed in community health centres and regional and local hospitals;
- included regularly in any regional and community health centre newsletters.

In respect of transport and travel, the committee recommended:

17. The Public Assisted Transport Scheme be better publicised so people are informed about their rights and their access to the scheme.
18. The State Government investigate the feasibility of funding a patient repatriation service in conjunction with the Royal Flying Doctor Service from regional hospitals to remote communities.

In respect of insurance, the committee recommended:

19. The current medical indemnity system and State Government subsidy arrangement be continued.
20. A scheme, similar to WorkCover, be introduced to allow medical compensation claims to be capped.
21. The suitability of compensation settlements paid as an annuity or pension rather than a lump sum be investigated.

In terms of mental health, the committee recommended:

22. A number of hospitals within each region be resourced with appropriately trained support staff and have a designated room or a room that can be adapted safety and quickly to care for a person suffering from an acute mental episode.
23. GPs and nursing staff receive more training in the psychiatric care and counselling of mental health patients.
24. The Medicare schedule of payments reflect the time and expertise of GPs with patients that are diagnosed with mental illness.
25. A system be devised which gives GPs, psychiatrists, mental health workers and carers access to any changes in the treatment regimes of their patients without jeopardising the confidentiality and privacy of the patient.
26. Community Health Services establish a system that enables carers to receive regular respite services.
27. A more extensive, coordinated system of providing psychiatric advice and service to rural and remote areas be developed.
28. The Department of Education, Training and Employment and the Department of Human Services develop early assessment and intervention strategies to deal with children at risk of physical or mental illness.

Some of the general recommendations included:

29. The State Government takes steps to ensure regional autonomy and avoid duplication of functions in the central office of the Department of Human Services.
30. The state government reassess the validity of casemix funding for regional areas and make adjustments if required.
31. The effectiveness of regionalisation be subject to continuous review.
32. A more comprehensive public dental service be established in rural and remote areas through the auspices of the South Australian Centre for Rural and Remote Health.
33. Additional funding be allocated by the State Government to enable the Sexual Health Hotline information referral and counselling service to operate seven days a week, 24 hours a day.
34. A more comprehensive approach to rural health issues be instigated by ensuring that research and information conducted by the Australian Institute of Health and Welfare, the Australian Bureau of Statistics and other rural health data and studies be collected and stored in a single clearing house.

The DEPUTY SPEAKER: Order! The time for consideration of standing committee reports has concluded.

Debate adjourned.

PUBLIC WORKS COMMITTEE: FOOTBALL PARK GRANDSTAND

Ms THOMPSON (Reynell): I move:

That standing orders be so far suspended as to enable me to move a rescission motion in relation to Committee Reports, Notices of Motion No.6.

A quorum having been formed:

Motion carried.

Ms THOMPSON: I move:

That the vote on the motion that the 133rd report of the committee, on the Football Park Grandstand final report, be rescinded.

Motion carried.

Ms THOMPSON secured the adjournment of the debate.

FISHERIES (SOUTHERN ZONE ROCK LOBSTER FISHERY RATIONALISATION) ACT REPEAL BILL

The Hon. R.G. KERIN (Deputy Premier) obtained leave and introduced a bill for an act to repeal the Fisheries (Southern Zone Rock Lobster Fishery Rationalisation) Act 1987. Read a first time.

The Hon. R.G. KERIN: 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.

The SPEAKER: Leave is sought. Is leave granted?

Mr Lewis: No.

The SPEAKER: Leave is not granted. The Deputy Premier.

The Hon. R.G. KERIN: This bill repeals the Fisheries (Southern Zone Rock Lobster Fishery Rationalisation) Act 1987. That act provided for the rationalisation of the number of rock lobster licences in the southern zone rock lobster fishery, the establishment of a primarily industry-based rationalisation authority to administer the rationalisation, the payment of compensation to those licensees who voluntarily left the industry and the repayment of compensation money by remaining licensees.

In June 1989, three months before the expiry of the rationalisation scheme, a total of 41 licence holders, holding 2 455 rock lobster pots, had been removed from the fishery through the buy-back scheme. The scheme was concluded at this time. The remaining licence holders continued to fund the scheme through licence fees until repayments were completed in March 1995.

The Fisheries (Southern Zone Rock Lobster Fishery Rationalisation) Act 1987 has achieved its objectives and the southern zone rock lobster fishery is now a sustainable fishery with 183 licences and a total allowable commercial catch of 1 720 tonnes.

In line with the government's regulatory review program it is proposed that the act be repealed. In commending this bill to honourable members, I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

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

Clause 3: Repeal

This clause repeals the *Fisheries (Southern Rock Lobster Fishery Rationalization) Act 1987.*

Ms HURLEY secured the adjournment of the debate.

BARLEY MARKETING (MISCELLANEOUS) AMENDMENT BILL

The Hon. R.G. KERIN (Deputy Premier) obtained leave and introduced a bill for an act to amend the Barley Marketing Act 1993. Read a first time.

The Hon. R.G. KERIN: 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.

The SPEAKER: Leave is sought. Is leave granted?

Mr Lewis: No.

The SPEAKER: Leave is not granted. Minister.

The Hon. R.G. KERIN: This bill to amend the Barley Marketing Act 1993 has one purpose—to extend the single desk export powers of ABB Grain Export Ltd.

The Barley Marketing Act currently confers on ABB Grain Export Ltd the single desk export desk marketing arrangements until 30 June 2001. The amendments to the act contained in this bill propose to allow ABB Grain Export Ltd to continue with those arrangements indefinitely, with no sunset clause included. There is an understanding that the legislation may be reviewed pending the outcome of the federal review of wheat marketing arrangements and changes to grain marketing arrangements in New South Wales.

The current act is a joint proposal between the Victorian and South Australian governments that effected changes to marketing arrangements for barley. It is, however, unlikely that Victoria will extend the 'life' of the Victorian act and so, in the future, the legislative scheme for marketing barley will be contained only in the South Australian act.

Cabinet approved the drafting of amendments to the Barley Marketing Act on 4 September 2000 to extend the single desk export powers of ABB Grain Export Ltd. The government consulted with the South Australian Farmers Federation Grains Council which strongly supported the decision to extend the single desk export powers of ABB Grain Export Ltd.

A survey conducted by a research company indicated that 90 per cent of barley producers were in favour of maintaining the present system. A number of reports found that the Japanese Food Authority (JFA) prefers to deal with statutory marketing authorities (even though it does not deal exclusively with such authorities but also with international grain traders). JFA has demonstrated that its prime concern is surety of supply, rather than price. The premium paid to all suppliers, irrespective of whether they are a statutory marketing authority or not, is in return for surety of supply.

The position of the South Australian government has been that support for single desk powers is likely to continue in this state until it can be demonstrated clearly that it is not in the best interests of the South Australian community to continue with such an arrangement.

From a competition policy viewpoint, there is a recognition the government can intervene in markets to take into account—

- the social effects of change
- regional issues
- the environment
- equity

· unemployment.

In the case of barley, there will be some economic impact as a result of the probable loss of the Victorian legislation, with some loss of business by ABB Grain Export Ltd to Victorian competitors. As a consequence, South Australia needs to legislate to protect the single desk, at least in South Australia. I commend the bill to the House. I seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Currently, South Australia and Victoria have a joint marketing scheme for marketing barley grown in those two States. It is intended that, from now on, South Australia will pursue the marketing scheme for barley grown in South Australia without reference to a joint scheme with Victoria.

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 3—Interpretation

As Victoria will not be part of the joint scheme from now on, the definitions of Victorian Act and Victorian Minister are no longer required and are, therefore, to be repealed. Subsection (2) of section 3 of the principal Act is also to be repealed as the work done by that subsection has now been exhausted.

Clause 3: Repeal of ss. 5 to 7

Section 5 currently provides that Part 4 of the Act (the marketing scheme) applies to barley harvested in the season commencing on 1 July 1993 and each of the next 7 seasons but does not apply to barley grown in a later season. It is no longer the intention to provide for the 'sunsetting' of the marketing scheme and so this section is to be repealed.

Current section 6 declares that it is the intention that—

- Victoria and South Australia implement a joint scheme for the marketing of barley grown in both of those States; and
- that Victorian and South Australian legislation providing for the joint scheme not be amended except on the joint recommendation of the relevant Victorian and South Australian Ministers.

This provision is to be repealed as a consequence of the decision that there will no longer be a joint scheme.

Section 7 currently provides that the Minister may delegate a power under the principal Act other than a power that is to be jointly exercised with the Victorian Minister. The repeal of this provision is consequential on the policy decision to continue with the marketing scheme alone.

Clause 4: Insertion of new section

73. Annual report

New section 73 is a revised version of current section 83 (*see clause 6*). It has been revised to remove the reference to the Victorian Minister and appropriately relocated to Part 10 of the principal Act. It provides that ABB Grain Ltd must give to the Minister a copy of its annual report under the Corporations Law, together with such information about the operations of ABB Grain Ltd and ABB Grain Export Ltd as the Minister requires.

Clause 5: Amendment of s. 74—Regulations

The amendment removes the reference to the Victorian Minister and also contains a minor 'housekeeping' amendment.

Clause 6: Repeal of s. 83

Current section 83 is to be repealed as a consequence of the insertion of new section 73 (*see clause 4*).

Ms HURLEY secured the adjournment of the debate.

DENTAL PRACTICE BILL

The Hon. DEAN BROWN (Minister for Human Services) obtained leave and introduced a bill for an act to protect the health and safety of the public by providing for the registration of dental practitioners and dental students; to regulate the provision of dental treatment for the purpose of maintaining high standards of competency and conduct by persons registered under this Act; to repeal the Dentists Act 1984; and for other purposes. Read a first time.

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

That this bill be now read a second time.

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

Leave granted.

It is my pleasure to introduce this Bill which has the primary aim of providing the mechanism through which the public may be assured of high standard, effective and ethical dental practice. The Bill reforms and updates the registration system for dental practitioners, it introduces registration for new categories of practitioner and generally positions the profession to meet the challenges of the future.

Honourable members may recall that the last time the Act was substantially revised was in 1984. Since that time, heightened community expectations of health professionals, the increasing introduction of highly sophisticated technology and therapeutic agents, changing practices, and higher educational standards, have created a new environment in which health care is delivered.

The dental profession, to its credit, has responded positively to the changing environment. The quality and standard of dentistry practised in Australia is amongst the highest in the world.

Australians have made substantial gains in oral health, particularly in the reduced dental caries experience of children.

However, despite those gains, oral diseases and disorders remain prevalent and a substantial burden on the Australian population. Oral health and general health are linked—factors which threaten general health also threaten oral health, and poor oral health has been associated with a range of other diseases.

There is significant potential for public health gain through prevention and treatment services—but new strategies must be adopted to achieve better outcomes for oral health. Oral health must be elevated to the national agenda and take its place in the broader framework of health policy, planning and programs.

The Australian Health Ministers' Conference has commissioned work on national oral health planning and financing, which is proceeding, and when completed should provide a blueprint for significant oral health improvement and public health gains well into the future.

Success in achieving better oral health requires a well educated, up-to-date dental workforce, and clear knowledge and skill competencies and accreditation processes. Changing community needs and the environment in which all dental occupational groups practise require flexibility and innovation in education and in services. The legislation which sets down the parameters within which the profession practises also needs to keep pace with modern developments.

The Bill before the Parliament today is the culmination of a process of review and consultation, including a review carried out in accordance with the Competition Principles Agreement. Using the foundation of the existing *Dentists Act 1984*, which it will replace, the Bill is a major rewrite which recognises and registers dental practitioners in South Australia, two categories of whom have not been registered in the past.

Underpinning the legislation is a theme of protection of the health and safety of the public. Specific reference is made in the long title to it being an Act to 'protect the health and safety of the public'. In exercising its functions, the Board is required to do so 'with the object of protecting the health and safety of the public'. The theme of protection of the public is carried through generally in the Bill and specifically in several provisions such as the medical fitness to practise provisions.

The main features of the Bill are as follows:

Dentists and dental hygienists

The situation of existing registered dental practitioners is preserved with minor enhancements and accordingly there will be few changes for dentists and dental hygienists. However, the provisions preventing qualified dentists who have specialised in a particular field from practising general dentistry have been removed. There will be a register on which all dentists will be registered, enabling them to practise all forms of general dentistry. In addition, registration as a specialist will enable them to practise in their particular specialist area or areas, in the case of those who have qualified in more than one specialist field.

Dental students

Provision is also made for dental students to be registered. The primary reason for requiring student registration is that students have access to patients during their courses and it is imperative to ensure

that infection control measures and standards are observed. Dental treatment, by its very nature, is invasive, with practitioners (both students and qualified practitioners) working with human tissue and blood. Registration will bring students within the scope of the Board and the Act, and therefore within the testing and notification requirements in relation to prescribed communicable infections. As with qualified practitioners, the Board will be able to take action to ensure that patients' health or safety are not endangered. It is the Board's intention to exempt students from the need to pay a registration fee and from the provisions requiring the holding of professional indemnity insurance. Transitional provisions are included to provide for students who, prior to the commencement of the legislation were enrolled in a course that provides qualifications for registration as a dental practitioner, to become registered as dental students.

Dental therapists

Dental therapists have been the major providers of dental care for school children in South Australia for thirty years through the School Dental Service (SADS). Currently they are restricted by the Dentists Act to working exclusively with SADS, under the control of a dentist, and only on children. They are not registered under the Act.

The Bill removes the restriction to employment in the public sector, thus permitting them to work in the private sector but the restriction to work only on children will remain, as this is the area for which they are trained. It is proposed that Regulations will spell out that they must work under the control of a dentist and what work they may perform.

Given the proposed removal of the restriction to employment in the public sector, registration for dental therapists is provided for the first time, thus bringing them within the scope of the general requirements of the Act and subject to the jurisdiction of the Dental Board and Dental Professional Conduct Tribunal.

Accordingly a dental therapist will be added to the membership of both the Board and Tribunal and will be required to be included in a hearing when a case involving a dental therapist is being considered.

A transitional clause is included to provide for initial registration of dental therapists who have, at some time during the period of 3 years preceding the commencement of the clause, been employed as a dental therapist by SADS.

Clinical dental technicians

The Bill provides an extended role for appropriately trained clinical dental technicians to be able to make and fit partial dentures directly to the public. Clinical dental technicians wishing to fit partial dentures will first have to demonstrate competency to the Dental Board and, having done so, they will become registered as 'advanced dental prosthetists'. There will be a power of review vested in the Minister in relation to refusal by the Board to approve a course of education or training.

Those clinical dental technicians who do not wish, or are unable, to become advanced dental prosthetists will be able to continue to work in the area of full dentures. It is proposed to discard the title 'clinical dental technician' in favour of 'dental prosthetist', a change which has been long sought by the practitioners to bring them into line with terminology used in other States.

The Clinical Dental Technicians Registration Committee becomes unnecessary but membership will be provided on both the Dental Board and the Dental Professional Conduct Tribunal for an advanced dental prosthetist or a dental prosthetist and they will have to be included in a hearing when such a practitioner is being considered.

Dental technicians

Provision is included for the registration of dental technicians for the first time. Over the years, dental technicians have undergone the transition from an apprenticeship system, in many cases with skills largely being passed from family member to family member, to an academic education which produces dental technicians who understand the properties of the very sophisticated dental materials now available for the construction of dental prostheses and have the skills required to manufacture the prostheses that patients wear in their mouths. They will continue to undertake laboratory work, to prescription, in the manufacture of dental prostheses.

Membership will be provided on both the Dental Board and Dental Professional Conduct Tribunal for a dental technician and they will have to be included in a hearing when such a practitioner is being considered.

A transitional clause is included to provide for initial registration of dental technicians who have, at some time during the period of 3 years preceding the commencement of the clause, carried on a business of, or been employed, making dental prostheses.

Board and Tribunal membership

The Board currently consists of eight members, six of whom are dentists, one legal practitioner and one consumer. There is a separate five member Clinical Dental Technicians Registration Committee, three of whose members are members of the Dental Board and two of whom are clinical dental technicians nominated by the Minister.

The proposed new Board is to be increased to thirteen members, with membership including a dental hygienist, a dental therapist, a dental technician and an advanced dental prosthetist or dental prosthetist. Importantly, an additional 'consumer' voice will be added. The separate Clinical Dental Technicians Registration Committee will cease to exist.

The Minister will nominate one of the dentists as Presiding Member and another member as Deputy Presiding Member.

In the case of the Tribunal, three additional members will be included (a dental therapist, dental technician and an additional consumer) and the clinical dental technician position becomes either an advanced dental prosthetist or a dental prosthetist, with hearings against particular practitioners to include the relevant member, as is the current requirement.

Ownership and business restrictions

Provision is included for the registration of a company as a dentist, advanced dental prosthetist, dental prosthetist or dental technician. (Similar provision is not made for dental hygienists and dental therapists, as their patients are patients of the dentist who delegates certain duties to the dental hygienist or dental therapist.)

The restrictions of the current Act will be maintained—eg, the sole object of the company must be to provide dental treatment of a kind authorised by the Act for that particular practitioner, directors and beneficiaries of the company must be registered practitioners of the particular kind and may include a prescribed relative if there are only two directors. There will be a power of exemption by proclamation (which may be conditional) vested in the Governor.

The provision of dental treatment for fee or reward will be restricted to people authorised by this Act (or under any other Act) to provide the particular form of treatment.

There is provision for dental treatment to be provided by an unqualified person through the instrumentality of a qualified person in prescribed circumstances and also a Governor's power of exemption. These provisions will be used to cater for situations on a case by case basis, such as Health Funds providing dental services via registered practitioners as part of their service to members, organisations providing dental services for their employees and families, and the South Australian Dental Service—all of these entities are 'unqualified persons' within the meaning of the legislation but all provide their services via 'qualified' persons.

It will be an offence for a person in an organisation which provides dental treatment through the instrumentality of a dental practitioner to give directions to a dental practitioner which result in the practitioner acting unlawfully, improperly, negligently or unfairly.

Board functions

The Board is to develop codes of conduct and professional standards and publish them in the Gazette, send a copy to registered practitioners and have them available for the public. The Board is given new powers in important areas.

Power to enter premises

Specific powers are included to enable inspectors to enter premises to investigate potential illegal practice, potential causes for disciplinary action and instances where a practitioner is suspected of being medically unfit to provide dental treatment.

Infection control

Most dental procedures involve sharp instruments penetrating soft tissues of the mouth and blood is frequently present in the mouth. Dental treatment therefore has the potential to be a source of transmission of blood borne diseases. While the dental profession has been pro-active in relation to infection control with a voluntary accreditation process, the Government believes it is necessary to equip the Board with powers to ensure that patients are not put at risk.

Specific provisions are therefore included as follows:

- in making a determination under the Act as to a person's medical fitness to provide dental treatment, regard must be had as to whether the person is able to provide dental treatment personally to a patient without endangering the patient's health or safety and regard may be had as to whether the person has a prescribed communicable infection (which

is defined as HIV or any other viral or bacterial infection prescribed by the regulations—the advice of the Department of Human Services' Expert Panel on Infected Healthcare Workers will be sought in framing the regulations);

- one of the criteria for registration and reinstatement will be that a person is medically fit to provide dental treatment. The Board may require a medical report or other evidence as to medical fitness;
- the Board intends, when seeking payment of the annual practice fee by a registered practitioner, to require the practitioner to declare that they have undertaken a blood test in the previous six months and discussed any implications with their medical practitioner;
- medical practitioners will be required to report to the Board if they are treating a dental practitioner with a prescribed communicable infection;
- the Board will be empowered to immediately suspend (or impose conditions on) the registration of a dental practitioner for infection control or other medical unfitness reasons to protect the health and safety of the public, pending a hearing;
- the Board will be empowered require a practitioner to submit to an examination by a medical or other health professional (including the taking of a blood test);
- a dental practitioner, on becoming aware that they have a prescribed communicable infection, with be required to forthwith provide written notice to the Board.

Minor offences

There have been a number of minor offences of less than professional conduct which merit a greater penalty than a reprimand and which the Board has been required to refer to the Dental Professional Conduct Tribunal. Provision is included in the Bill to enable the Board to reprimand, impose a fine not exceeding $1000, impose conditions or suspend registration for up to one month.

Matters of serious unprofessional conduct will still be referred to the Tribunal which can impose penalties, including de-registration.

Insurance

Provision is included to prohibit a dental practitioner from providing dental treatment unless insured to an extent and in a manner approved by the Board. There will be a power to exempt (which may be on conditions) vested in the Board.

In summary, the Bill establishes a firm foundation for high standard, effective and ethical practice.

I commend the Bill to the House.

Explanation of Clauses

PART 1
PRELIMINARY

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement by proclamation.

Clause 3: Interpretation

This clause contains definitions and other interpretative provisions for the purposes of the measure. The definition of 'dental practitioner' contemplates seven classes of practitioner and the definition of 'appropriate register' contemplates a separate register for each class, plus a register of dental students. Other notable definitions include that of 'dental treatment' and 'unprofessional conduct'.

Clause 4: Medical fitness to provide dental treatment

This clause provides for a determination of a person's medical fitness to provide dental treatment to include consideration of whether the person can provide the treatment personally to a patient without endangering the patient's health or safety, and for that purpose, allows regard to be given to the question of whether the person has HIV or some other viral or bacterial infection prescribed by the regulations.

PART 2
DENTAL BOARD OF SOUTH AUSTRALIA
DIVISION 1—CONTINUATION OF BOARD

Clause 5: Continuation of the Board

This clause continues the Dental Board of South Australia in existence as a body corporate with perpetual succession, a common seal, the capacity to litigate in its corporate name and all the powers of a natural person capable of being exercised by a body corporate.

DIVISION 2—THE BOARD'S MEMBERSHIP

Clause 6: Composition of the Board

This clause provides for the Board to consist of 13 members appointed by the Governor, empowers the Governor to appoint deputy members and requires at least 4 members of the Board nominated by the Minister to be women and at least 4 to be men.

Clause 7: Terms and conditions of membership

This clause provides for members of the Board to be appointed for a term not exceeding 3 years and to be eligible for re-appointment on expiry of a term of appointment. It also sets out the circumstances in which a member's office becomes vacant and in which the Governor is empowered to remove a member from office.

Clause 8: Presiding member and deputy

This clause provides for the Board to have a presiding member and a deputy presiding member appointed by the Governor after consultation with the Board.

Clause 9: Vacancies or defects in appointment of members

This clause prevents an act or proceeding of the Board being invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

Clause 10: Remuneration

This clause entitles a member of the Board to remuneration, allowances and expenses determined by the Governor.

DIVISION 3—REGISTRAR AND STAFF OF THE BOARD

Clause 11: Registrar of the Board

This clause provides for the appointment of a Registrar by the Board on terms and conditions determined by the Board.

Clause 12: Other staff of the Board

This clause provides for the Board to have such other staff as it thinks necessary for the proper performance of its functions.

DIVISION 4—GENERAL FUNCTIONS AND POWERS

Clause 13: Functions of the Board

This clause sets out the functions of the Board and requires the Board to exercise its functions with the object of protecting the public by achieving and maintaining the highest professional standards both of competence and conduct in the provision of dental treatment in South Australia.

Clause 14: Committees

This clause empowers the Board to establish committees to advise the Board and assist it to carry out its functions.

Clause 15: Delegations

This clause empowers the Board to delegate any of its functions or powers under the measure (other than Part 5) to a member of the Board, the Registrar, an employee of the Board or a committee established by the Board.

DIVISION 5—THE BOARD'S PROCEDURES

Clause 16: The Board's procedures

This clause deals with matters relating to the Board's procedures such as the quorum at meetings, the chairing of meetings, voting rights, the holding of conferences by telephone and other electronic means and the keeping of minutes.

Clause 17: Disclosure of interest

This clause requires members of the Board to disclose direct or indirect pecuniary or personal interests in matters under consideration and prohibits participation in any deliberations or decision of the Board on those matters. A maximum penalty of $5 000 is fixed for contravention or non-compliance.

Clause 18: Powers of the Board in relation to witnesses, etc.

This clause sets out the powers of the Board to summons witnesses and require the production of documents and other evidence in proceedings before the Board.

Clause 19: Principles governing hearings

This clause provides that the Board is not bound by the rules of evidence and requires it to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms.

Clause 20: Representation at proceedings before the Board

This clause entitles a party to proceedings before the Board to be represented at the hearing of those proceedings.

Clause 21: Costs

This clause empowers the Board to award costs against a party to proceedings before the Board.

DIVISION 6—ACCOUNTS, AUDIT AND ANNUAL REPORT

Clause 22: Accounts and audit

This clause requires the Board to keep proper accounting records in relation to its financial affairs, to have annual statements of account prepared in respect of each financial year and to have the accounts audited annually by an auditor approved by the Auditor-General and appointed by the Board.

Clause 23: Annual report

This clause requires the Board to prepare an annual report for the Minister and requires the Minister to table the report in Parliament.

PART 3
THE DENTAL PROFESSIONAL CONDUCT TRIBUNAL

Clause 24: Continuation of the Tribunal

This clause continues the Dental Professional Conduct Tribunal in existence.

Clause 25: Composition of the Tribunal

This clause provides for the Tribunal to consist of 10 members appointed by the Governor and empowers the Governor to appoint deputy members.

Clause 26: Terms and conditions of membership

This clause provides for members of the Tribunal to be appointed for a term not exceeding 3 years and to be eligible for re-appointment on expiry of a term of appointment. It also sets out the circumstances in which a member's office becomes vacant and in which the Governor is empowered to remove a member from office.

Clause 27: Vacancies or defects in appointment of members

This clause prevents an act or proceeding of the Tribunal from being invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

Clause 28: Remuneration

This clause entitles a member of the Tribunal to remuneration, allowances and expenses determined by the Governor.

Clause 29: Constitution of the Tribunal for the purpose of proceedings

This clause sets out how the Tribunal is to be constituted for the purpose of hearing and determining proceedings.

PART 4
REGISTRATION
DIVISION 1—THE REGISTERS

Clause 30: The registers

This clause requires the Registrar to keep a separate register for each class of registered person and sets the information required to be included in each register. It also requires the registers to be kept available for inspection by the public and a copy of each register to be published in the Gazette each year. The Registrar may remove from a register the name of a person who dies or ceases for any reason to be entitled to be registered. The clause requires registered persons to notify a change of address within three months. A maximum penalty of $250 is fixed for non-compliance.

Clause 31: Authority conferred by registration on a register

This clause sets out the kinds of dental treatment that registration on each particular register authorises a registered person to provide.

DIVISION 2—REGISTRATION

Clause 32: Registration of natural persons as dental practitioners

This clause provides for the full and limited registration of natural persons as dental practitioners.

Clause 33: Registration of companies

This clause provides for the registration of companies as dentists, advanced dental prosthetists, dental prosthetists or dental technicians.

Clause 34: Registration of dental students

This clause requires persons to register as dental students before undertaking a course of study providing qualifications for registration as a dental practitioner and provides for full or limited registration.

Clause 35: Application for registration

This clause deals with applications for registration. It empowers the Board to require applicants to submit medical reports or other evidence of medical fitness to provide dental treatment or to obtain additional qualifications or experience before determining an application.

Clause 36: Removal from register

This clause requires the Registrar to remove a person's name from a register on application by the person or on suspension of the person's registration under this measure.

Clause 37: Reinstatement on register

This clause makes provision for reinstatement of a person's name on a register. It empowers the Board to require applicants for reinstatement to submit medical reports or other evidence of medical fitness to provide dental treatment or to obtain additional qualifications or experience before determining an application.

Clause 38: Fees

This clause deals with the payment of registration, reinstatement and annual practice fees.

DIVISION 3—SPECIAL OBLIGATIONS OF COMPANY PRACTITIONERS

Clause 39: Returns by companies

This clause requires a company registered as a dental practitioner to lodge an annual return and fixes a maximum penalty of $2 500 for non-compliance.

Clause 40: Notice of appointment of directors, etc.

This clause requires a company registered under the measure to give notice of a person becoming or ceasing to be a director or member of the company and fixes a maximum penalty of $2 500 for non-compliance.

Clause 41: Alterations to memorandum or articles of association of registered company

This clause prohibits a company registered under the measure from altering its memorandum or articles of association without the prior approval of the Board and fixes a maximum penalty of $1 250 for contravention.

DIVISION 4—RESTRICTIONS RELATING TO DENTAL PRACTICE

Clause 42: Illegal holding out as dental practitioner

This clause makes it an offence for a person to hold themself out as a registered person of a particular class or permit another person to do so unless registered on the appropriate register. It also makes it an offence for a person to hold out another as a registered person of a particular class unless the other person is registered on the appropriate register. In both cases a maximum penalty of $10 000 or imprisonment for six months is fixed.

Clause 43: Illegal holding out concerning restrictions or conditions

This clause makes it an offence for a person whose registration is restricted, limited or conditional to hold themself out, or permit another person to hold them out, as having registration that is unrestricted or not subject to a limitation or condition. It also makes it an offence for a person to hold out another whose registration is restricted, limited or conditional as having registration that is unrestricted or not subject to a limitation or condition. In both cases a maximum penalty of $10 000 or imprisonment for six months is fixed.

Clause 44: Use of certain titles or descriptions prohibited

This clause creates a number of offences prohibiting persons who are not appropriately registered from using certain words or their derivatives to describe themselves or services that they provide, or in the course of advertising or promoting services that they provide. In each case a maximum penalty of $10 000 is fixed.

Clause 45: Restriction on provision of dental treatment by unqualified persons

This clause makes it an offence for a person to provide dental treatment for fee or reward unless the person is a qualified person (authorised to provide that treatment by or under this measure or another law) and the treatment is provided personally by the person or some other person who is a qualified person. A maximum penalty of $10 000 or imprisonment of six months is fixed but the offence does not apply to dental treatment provided by a qualified person through the instrumentality of another qualified person or provided by an unqualified person through the instrumentality of a qualified person in prescribed circumstances. In addition, the Governor is empowered, by proclamation, to grant an exemption if of the opinion that good reason exists for doing so in the particular circumstances of a case.

Clause 46: Board's approval required where dental practitioner has not practised for five years

This clause prohibits a dental practitioner or dental student who has not provided dental treatment of a kind authorised by their registration for 5 years or more from providing such treatment without the prior approval of the Board and fixes a maximum penalty of $10 000. The Board is empowered to require an applicant for approval to obtain qualifications and experience and to impose conditions on the person's registration.

Clause 47: Companies not to practice in partnership

This clause prohibits a company registered under the measure from practising as a dental practitioner in partnership with any other person unless it has been authorised to do so by the Board and fixes a maximum penalty of $1 250.

Clause 48: Employment of registered persons by company

This clause prohibits a company registered as a dental practitioner of a particular class from employing a number of dental practitioners of that class that exceeds twice the number of directors in the company and fixes a maximum penalty of $1 250.

PART 5
INVESTIGATIONS AND PROCEEDINGS
DIVISION 1—PRELIMINARY

Clause 49: Interpretation

This clause provides that in this Part the term 'registered person' includes a person who was at some time registered under the measure.

Clause 50: Cause for disciplinary action

This clause sets out the criteria for the existence of proper cause for disciplinary action against a registered person.

DIVISION 2—INVESTIGATIONS

Clause 51: Powers of inspectors

This clause sets out the powers of an inspector to investigate certain matters.

Clause 52: Offence to hinder, etc., inspector

This clause makes it an offence for a person to hinder an inspector, use certain language to an inspector, refuse or fail to comply with a requirement of an inspector, refuse or fail to answer questions to the best of the person's knowledge, information or belief, or falsely represent that the person is an inspector. A maximum penalty of $5 000 is fixed.

Clause 53: Offences by inspectors

This clause makes it an offence for an inspector to address offensive language to another person or, without lawful authority, to hinder or obstruct, use force or threaten the use of force in relation to another person. A maximum penalty of $5 000 is fixed.

DIVISION 3—PROCEEDINGS BEFORE THE BOARD

Clause 54: Obligation to report medical unfitness of dental practitioner or dental student

This clause requires a medical practitioner treating a dental practitioner or dental student to submit a report to the Board if the medical practitioner diagnoses that the dental practitioner or dental student has a prescribed communicable infection. It also requires health professional treating a dental practitioner or dental student to submit a report to the Board if of the opinion that the practitioner or student may be medically unfit to provide dental treatment. In each case a maximum penalty of $2 500 is fixed for non-compliance. The Board must cause a report to be investigated.

Clause 55: Medical fitness of dental practitioner or dental student

This clause empowers the Board to suspend the registration of a dental practitioner or dental student or impose conditions on registration restricting the right to provide dental treatment if, on application by certain persons or after an investigation under clause 54, and after due inquiry, the Board is satisfied that the practitioner or student is medically unfit to provide dental treatment and that it is desirable in the public interest to take such action.

Clause 56: Inquiries by Board as to matters constituting grounds for disciplinary action

This clause requires the Board to inquire into a complaint relating to matters alleged to constitute grounds for disciplinary action against a registered person unless the Board considers the complaint to be frivolous or vexatious or lays a complaint before the Tribunal relating to such matters. If, after conducting an inquiry, the Board is satisfied that there is proper cause for taking disciplinary action, the Board can reprimand the person, order the person to pay a fine of up to $1 000, impose conditions on their right to provide dental treatment for fee or reward or suspend their registration for a period not exceeding one month. If a person fails to pay a fine imposed by the Board, the Board can remove their name from the appropriate register.

Clause 57: Variation or revocation of conditions imposed by Board

This clause empowers the Board to vary or revoke a condition of a person's registration on the person's application.

Clause 58: Suspension of registration of non-residents

This clause empowers the Board, on application by the Registrar, to suspend until further order the registration of a dental practitioner who has not resided in Australia for the period of 12 months immediately preceding the application.

Clause 59: Provisions as to proceedings under this Part

This clause deals with the conduct of proceedings by the Board under this Part.

DIVISION 4—PROCEEDINGS BEFORE THE TRIBUNAL

Clause 60: Inquiries by Tribunal as to matters constituting grounds for disciplinary action

This clause requires the Tribunal to inquire into a complaint relating to matters alleged to constitute grounds for disciplinary action against a registered person unless the Tribunal considers the complaint to be frivolous or vexatious. If, after conducting an inquiry, the Tribunal is satisfied that there is proper cause for taking disciplinary action, the Tribunal can reprimand the person, order them to pay a fine of up to $5 000, impose conditions on their right to provide dental treatment for fee or reward, suspend their registration for a period not exceeding one year or cancel their registration. If a person fails to pay a fine imposed by the Tribunal, the Board can remove their name from the appropriate register.

Clause 61: Provisions as to proceedings under this Division

This clause deals with the conduct of proceedings by the Tribunal under this Part.

Clause 62: Powers of Tribunal

This clause sets out the powers of the Tribunal for the purposes of inquiries.

Clause 63: Costs

This clause empowers the Tribunal to award costs against a party to proceedings before the Tribunal.

Clause 64: Power of Tribunal to make rules

This clause empowers the Tribunal to make rules regulating its practice and procedure or making any other provision as may be necessary or expedient to carry into effect the provisions of this Division relating to the Tribunal.

PART 6

APPEALS

Clause 65: Right of appeal to Supreme Court

This clause provides a right of appeal to the Supreme Court against certain acts and decisions of the Board or Tribunal.

Clause 66: Operation of order may be suspended

This clause empowers the Court to suspend the operation of an order made by the Board or Tribunal where an appeal is instituted or intended to be instituted.

Clause 67: Variation of conditions imposed by Court

This clause empowers the Court to vary or revoke conditions of registration imposed by the Court.

PART 7

MISCELLANEOUS

Clause 68: Interpretation

This clause defines terms used in this Part of the measure.

Clause 69: Improper directions to dental practitioners and dental students

This clause makes it an offence for a person who provides dental treatment through the instrumentality of a dental practitioner or dental student to give directions resulting in the practitioner or student acting unlawfully, improper, negligently or unfairly in relation to the provision of dental treatment. It also makes it an offence for a person occupying a position of authority in a trust or corporate entity that provides dental treatment through the instrumentality of a practitioner or student to give such directions. In each case a maximum penalty of $10 000 is fixed.

Clause 70: Offence to contravene conditions of registration

This clause makes it an offence for a person to contravene or fail to comply with the conditions of their registration under the measure and fixes a maximum penalty of $10 000 or imprisonment for six months.

Clause 71: Procurement of registration by fraud

This clause makes it an offence for a person to fraudulently or dishonestly procure registration or reinstatement of registration (whether for himself or herself or another person) and fixes a maximum penalty of $10 000.

Clause 72: False or misleading statement

This clause makes it an offence for a person to make a false or misleading statement in a material particular (whether by reason of inclusion or omission of any particular) in information provided under the measure and fixes a maximum penalty of $10 000.

Clause 73: Dental practitioner or dental student must report his or her infection to Board

This clause requires a dental practitioner or dental student who is aware that he or she has a prescribed communicable infection to forthwith give written notice of that fact of the Board and fixes a maximum penalty of $5 000 for non-compliance.

Clause 74: Dental practitioners to be indemnified against loss

This clause prohibits a dental practitioner from providing dental treatment for fee or reward unless insured in a manner and to an extent approved by the Board against civil liabilities that might be incurred by the practitioner in the course of providing any such treatment. The clause fixes a maximum penalty of $5 000 and empowers the Board to exempt persons or classes of persons from the requirement to insure.

Clause 75: Information relating to claim against registered person to be provided

This clause requires a registered person to provide the Board with prescribed information about any claim made against the registered person or another person for alleged negligence committed by the registered person in the course of providing dental treatment. The clause fixes a maximum penalty of $5 000 for non-compliance.

Clause 76: Self-incrimination and legal professional privilege

This clause provides that a person cannot refuse or fail to answer a question or produce documents as required under the measure on the ground that to do so might tend to incriminate the person or make the person liable to a penalty, or on the ground of legal professional privilege. If a person objects on either of the first two grounds, the fact of production of the document or the information furnished is not admissible against the person except in proceedings in respect of making a false or misleading statement or perjury. If a person objects on the ground of legal professional privilege, the answer or document is not admissible in civil or criminal proceedings against the person who would, but for this clause, have the benefit of that privilege.

Clause 77: Punishment of conduct that constitutes an offence

This clause provides that if conduct constitutes both an offence against the measure and grounds for disciplinary action under the measure, the taking of disciplinary action is not a bar to conviction and punishment for the offence, and conviction and punishment for the offence is not a bar to disciplinary action.

Clause 78: Vicarious liability for offences

This clause provides that if a trust or corporate entity is guilty of an offence against the measure, each person occupying a position of authority in the entity is guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless it is proved that the person could not, by the exercise of reasonable care, have prevented the commission of the offence by the entity.

Clause 79: Joint and several liability of companies

This clause provides that a civil liability incurred by a company registered as a dental practitioner is enforceable jointly and severally against the company and the persons who were directors of the company at the time the liability was incurred.

Clause 80: Board may require medical examination or report

This clause empowers the Board to require a dental practitioner or dental student or person applying for registration or reinstatement of registration as such to submit to an examination by a health professional or provide a medical report from a health professional, including an examination or report that will require the person to undergo a medically invasive procedure. If the person fails to comply the Board can suspend the person's registration until further order.

Clause 81: Ministerial review of decisions relating to courses

This clause gives a provider of a course of education or training the right to apply to the Minister for a review of a decision of the Board to refuse to approve the course for the purposes of the Act or to revoke the approval of a course.

Clause 82: Protection from personal liability

This clause protects members of the Board and Tribunal, the Registrar and other staff of the Board and inspectors from personal liability in good faith in the performance or purported performance of functions or duties under the measure. A civil liability will instead lie against the Crown.

Clause 83: Service

This clause sets out the methods by which notices and other documents may be served for the purposes of the measure.

Clause 84: Evidentiary provision

This clause provides evidentiary aids for the purposes of proceedings for offences against the measure and disciplinary proceedings under Part 5.

Clause 85: Regulations

This clause empowers the Governor to make regulations for the purposes of the measure.

SCHEDULE

Repeal and transitional provisions

This Schedule repeals the *Dentists Act 1984* and makes transitional provisions relating to the constitution of the Board and Tribunal and registration of dental practitioners and dental students.

Ms KEY secured the adjournment of the debate.

ASSOCIATIONS INCORPORATION (OPPRESSIVE OR UNREASONABLE ACTS) 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.

The DEPUTY SPEAKER: Leave is sought. Is leave granted?

Mr Lewis: No.

The DEPUTY SPEAKER: Leave is not granted. Minister.

The Hon. I.F. EVANS: This bill was introduced in the last session of parliament and lapsed. It is reintroduced with minor drafting changes which do not significantly alter its overall effect. The bill amends the Associations Incorporation Act, section 61, which provides a mechanism for dealing with conduct by an association which is oppressive or unreasonable towards a member or members. At present an aggrieved member or a former member who has been expelled from the organisation may apply to the Supreme Court for orders regulating the affairs of the association. The Supreme Court is given a range of powers to deal with any oppressive or unreasonable conduct.

The bill arises out of concern raised with the government by the Law Society that access to justice is hampered by the restriction of this jurisdiction to the Supreme Court. Many members of associations may not be able to afford to fund Supreme Court litigation. Indeed, in many cases it may tax the resources of smaller associations as well. Further, the Supreme Court is geographically remote for associations in rural and regional centres and there are additional costs and inconvenience for them in pursuing this remedy. Moreover, in many cases, the disputes may not be so legally complex as to require the attention of the Supreme Court.

For these reasons, the bill confers jurisdiction in such matters also on the Magistrates Court. This does not derogate from the jurisdiction of the Supreme Court. The application can be brought in either court. However, the power to wind up an association or to appoint a receiver or manager of its property is reserved to the Supreme Court. This is because these are more serious remedies and also because a small number of incorporated associations are institutions of some size and substance and whose winding up or receivership would indeed be a serious case.

Whilst the magistrates court will not be able to wind up an association, if the court reaches the view that this is a case for winding up or for the appointment of a receiver or manager, it must transfer the matter to the Supreme Court—quite rightly. However, this can only be done after efforts have been made to conciliate the matter.

Further, to avoid the misuse of this provision to deal with disputes which more appropriately belong in other specialist courts or tribunals, it is provided that either court may decline to hear a matter which in its view is more appropriately dealt with elsewhere. An example might be a dispute which, although involving members of an association, is really an industrial dispute which should be—quite rightly, I think—dealt with by the Industrial Commission.

In addition to creating jurisdiction in the Magistrates Court, the bill makes perfectly clear that either court in dealing with these matters has what can be described, I think, as a broad power to make whatever orders are necessary to remedy a default or, indeed, resolve a dispute. This is designed to give flexibility and discourage technical arguments as to whether the court has power to make a particular order sought. For the same reason, the present provision that a breach of rules may be regarded as oppressive conduct is removed. Whether the conduct is oppressive or unreasonable is a matter to be weighed—quite rightly—by the court's having regard to all the evidence. The court will consider the

breach in its context. It may amount to oppressive or unreasonable conduct, or it may not.

The bill also expands the categories of members who can seek a remedy. Under the present act one can only apply to the court if one is a present member or has been expelled. This does not assist members who have resigned or, indeed, simply failed to renew a membership. Under the bill, any member or former member can apply for a remedy regardless of how the membership came to an end. However, they must act within six months of ceasing to be a member. It is not intended to permit application by former members who have had nothing to do with the association in more recent times.

The bill is indeed a minor practical measure to enhance access to justice, particularly for smaller associations and their members or those that are country based. It does not derogate from the powers of the Supreme Court nor the right of members of associations to seek a remedy there, but it offers an alternative, cheaper and less formal means of resolving the disputes. I hope that swayed the House and I commend this bill to members.

The DEPUTY SPEAKER: Is the minister seeking leave to have the clauses included without reading them?

The Hon. I.F. EVANS: Yes.

Leave granted.

Explanation of Clauses

Clause 1: Short title and *Clause 2: Commencement*

These clauses are formal. The measure will commence on a day to be fixed by proclamation.

Clause 3: Substitution of s. 61

Section 61 of the principal Act is replaced by proposed new section 61, which differs from the principal Act in the following respects :

Under proposed new s. 61(1), a member or former member of an association who believes the association has acted oppressively or unreasonably may apply to either the Supreme Court or Magistrates Court for relief. Section 61 of the principal Act only allows applications to be made to the Supreme Court, and an application by a former member can only be made if that member has been expelled from the association.

Proposed new s. 61(3) states that a proceeding in the Magistrates Court under this section is a minor statutory proceeding.

Proposed new s. 61(4) sets out the types of orders that the Supreme Court and Magistrates Court may make. These orders are currently set out in s. 61(2) of the principal Act. However, proposed new s. 61(4) does not specifically refer to an order that the association be wound up, or an order that a receiver or a receiver and manager be appointed. These matters are dealt with by proposed new s. 61(5) and 61(6). Also, proposed new s. 61(4)*(g)* gives the court a general power to make any order that is necessary to resolve the dispute.

Proposed new s. 61(5) states that the Supreme Court may order that the association be wound up or a receiver or a receiver and manager be appointed.

Under proposed new s. 61(6), the Magistrates Court must transfer a proceeding to the Supreme Court if the orders set out in proposed new s. 61(5) may be appropriate.

Under proposed new s. 61(7), the Magistrates Court may transfer a proceeding to the Supreme Court if a complex or important question arises, and it may reserve a question of law for determination by the Supreme Court.

Proposed new s. 61(8) states that where the proceedings are transferred, steps already taken are to be considered as steps taken in the court to which the proceedings are transferred.

Proposed new s. 61 (12) states that the Supreme Court and Magistrates Court may decline to hear a proceeding if it is more appropriate that the proceeding be heard by a different court, or by a tribunal.

Proposed new s. 61(15) defines conduct that is oppressive or unreasonable, referring specifically to action or proposed action by an association to expel a member.

Ms HURLEY secured the adjournment of the debate.

ELECTRONIC TRANSACTIONS 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.

The DEPUTY SPEAKER: Leave is sought. Is leave granted?

Mr Lewis: No.

The DEPUTY SPEAKER: Leave is not granted. Minister.

The Hon. I.F. EVANS: Members may recall that this bill was first introduced to the parliament at the end of last session to allow most important community consultation during the parliamentary recess. The consultation process—as luck would have it—did not highlight the need for any changes.

Mr Clarke interjecting:

The Hon. I.F. EVANS: I am sure that is of interest to the member for Ross Smith. Accordingly, no amendments have been made to the bill since its introduction. As to the bill itself, there can be little doubt that in recent times few technological developments have so affected the world of commerce as has the information technology revolution—something that I know is of great interest to the minister and the member for Adelaide. Each day the amount of business being conducted over the internet and by other electronic means grows. From humble beginnings just a few years ago, it is estimated that worldwide electronic, or e-commerce as we now know it, will account for $US300 billion worth of business within the next few years. Some estimates predict global e-commerce will exceed $US1 trillion by 2003. In Australia alone e-commerce is expected to reach $1.3 billion in 2001. These are staggering figures. Clearly the potential benefits to Australia are immense. While e-commerce in Australia has already experienced significant growth, its development is being restrained—

An honourable member interjecting:

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

The Hon. I.F. EVANS: —by a lack of confidence in the legal framework applying to electronic transactions. That would be of concern to all. It is with these concerns in mind that the Electronic Transactions Bill has been developed. The Bill is based on model legislation which either has been or will be enacted by all state and territory parliaments. The commonwealth, which was involved in the development of this model legislation, has already enacted its own Electronic Transactions Act. Both the model state and territory bill and the commonwealth act are based on provisions which were developed by the United Nations and which have been endorsed by a number of international jurisdictions. Electronic commerce is, indeed, a global phenomenon. It therefore makes sense to standardise the rules applicable as far as possible, both nationally and internationally, just as rules for conventional international trade and commerce have been regularised.

The object of the Bill is to provide a regulatory framework that:

- recognises the importance of the information economy to the future economic and social prosperity of Australia;
- facilitates the use of electronic transactions and communications;

- promotes business and community confidence in the use of electronic transactions and communications; and
- enables business and the community to use electronic communications in their dealings with government.

The Bill is based on two fundamental principles, 'media neutrality' (or 'functional equivalence') and 'technology neutrality'. 'Media neutrality' means—and I am sure that the member for Hart would be aware of this—that, as a general proposition, transactions using paper documents should not, other than for sound policy reasons, be treated differently or have different legal effect for the purpose of satisfying legal requirements or exercising legal rights than transactions made by way of electronic communications. If two different communication media fulfil the same policy functions, then one form should not be advantaged or disadvantaged over the other. Of course, 'Technology neutrality'—and the House may be aware of this—means that the law should remain neutral between different forms of technology and that it should not favour or discriminate between different forms of technology.

The bill establishes that, under the Law of South Australia—if passed—a transaction is not invalid merely because it took place by means of one or more electronic communications. It provides that, subject to certain minimum requirements concerning reliability and reasonableness, a requirement or permission imposed under a law of the State to give information in writing, to provide a signature, to produce a document, to record information or retain a document can be satisfied by means of an electronic communication. Importantly, the Bill makes it clear that the use of electronic transactions will require the prior consent of the parties. Of course, consent may be inferred from prior conduct, or given subject to conditions.

The Bill also sets out a number of default rules for determining the time and place of the dispatch and receipt of electronic communications; provides for the attribution of an electronic communication; and provides for the making of regulations to exclude specified laws or transactions from the legislation. I commend this bill to the House and seek leave to insert the explanation of clauses.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will be brought into operation by proclamation.

Clause 3: Object

This clause sets out the object of the proposed Act, which is to provide a regulatory framework that—

(a) recognises the importance of the information economy to the future economic and social prosperity of Australia; and

(b) facilitates the use of electronic transactions; and

(c) promotes business and community confidence in the use of electronic transactions; and

(d) enables business and the community to use electronic communications in their dealings with government.

Clause 4: Simplified outline

This clause sets out a simplified outline of the proposed Act.

Clause 5: Interpretation

This clause defines certain words and expressions used in the proposed Act, of which the more significant are electronic communication, information, information system and transaction.

Clause 6: Crown to be bound

This clause provides that the proposed Act is to bind the Crown.

Clause 7: Validity of electronic transactions

This clause sets out a general rule to the effect that, for the purposes of a law of the State, a transaction is not invalid because it took place wholly or partly by means of one or more electronic communications. The general rule is expressed to be subject to other provisions of the proposed Act that deal with the validity of transactions. The regulations under the proposed Act are to be able to exclude the general rule in relation to specified transactions and specified laws of the State.

Clause 8: Writing

This clause provides that a person who, under a law of the State, is required or permitted to give information in writing may instead give that information by means of an electronic communication. Generally speaking, for information given by means of an electronic communication to be acceptable—

(a) it must be reasonable to expect that the information will continue to be accessible for future reference; and

(b) the recipient of the information must consent to being given information by means of an electronic communication.

Clause 9: Signatures

This clause provides that a person who, under a law of the State, is required to give a signature may instead use an alternative means of authenticating the person's identity in relation to an electronic communication of information. Generally speaking, for an alternative means of authentication to be acceptable—

(a) those means must identify the person and indicate the person's approval of the information being communicated; and

(b) those means must be as reliable as is appropriate for the purposes for which the information is communicated; and

(c) the recipient of the information must consent to the use of those means.

Clause 10: Production of document

This clause provides that a person who, under a law of the State, is required or permitted to produce a document in hard copy may instead produce the document in electronic form. Generally speaking, for an electronic document to be acceptable—

(a) the method of generating an electronic document must provide a reliable means of assuring that the integrity of the information contained in the document is maintained; and

(b) it must be reasonable to expect that the information contained in the electronic document will continue to be accessible for future reference; and

(c) the recipient of the document must consent to being given an electronic document.

Clause 11: Retention of information and documents

This clause provides that a person who, under a law of the State, is required to record information in writing, to retain a document in hard copy or to retain information the subject of an electronic communication, may record or retain the information in electronic form. Generally speaking, for an electronic form of recording or retaining information to be acceptable—

(a) it must be reasonable to expect that the information will continue to be accessible for future reference; and

(b) the method for storing the information must comply with any requirements of the regulations under the proposed Act as to the kind of data storage device on which the information is to be stored; and

(c) in the case of a document that is required to be retained—

(i) additional information as to the origin and destination of the communication, and as to the time that the electronic communication was sent and received, are to be retained; and

(ii) the method for retaining information must provide a reliable means of assuring that the integrity of the information is maintained.

Clause 12: Exemptions from this Division

This clause enables the regulations under the proposed Act to provide that the proposed Division, or a specified provision of the proposed Division, does not apply to a specified requirement, a specified permission or a specified law of the State.

Clause 13: Time and place of dispatch and receipt of electronic communications

This clause establishes default rules in relation to the time and place of dispatch and receipt of electronic communications. Generally speaking:

(a) an electronic communication is taken to have been dispatched by the person by whom it is originated when it first enters an information system outside the control of the originator; and

(b) an electronic communication is taken to have been received by the person to whom it is addressed when it enters an information system designated by the addressee for that purpose or (if no such system is designated) when it comes to the attention of the addressee; and

(c) an electronic communication is taken to have been dispatched at the place where the originator has its place of business and to have been received at the place where the addressee has its place of business.

The regulations under the proposed Act are to be able to exclude the proposed section in relation to specified electronic communications and specified laws of the State.

Clause 14: Attribution of electronic communications

This clause sets out the circumstances in which the person by whom an electronic communication purports to have been originated is bound by the communication. Generally speaking, the person is not bound by the communication unless the communication was sent by, or with the authority of, the person. The regulations under the proposed Act are to be able to exclude the proposed section in relation to specified electronic communications and specified laws of the State.

Clause 15: Regulations

This clause empowers the Governor to make regulations under the proposed Act.

Ms HURLEY secured the adjournment of the debate.

ADELAIDE FESTIVAL CENTRE TRUST (COMPOSITION OF TRUST) AMENDMENT BILL

Second reading.

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

That this bill be now read a second time.

I seek leave to insert the second reading speech in *Hansard* without my reading it.

The DEPUTY SPEAKER: Leave is sought. Is leave granted?

Mr Lewis: No.

The DEPUTY SPEAKER: Leave is not granted. Minister.

The Hon. DEAN BROWN: The Adelaide Festival Centre Trust is a statutory authority established under the Adelaide Festival Centre Trust Act 1971. The trust is charged with the responsibility of encouraging and facilitating artistic, cultural and performing arts activities throughout the State as well as maintaining and improving the buildings and facilities of the Festival Centre complex. The first stage of a major upgrade of the Festival Centre has been completed, bringing improvements to the seating and acoustic system, as well as public amenities in the Festival Theatre foyers. The trust's current programming policies aim to attract larger and a wider range of audiences to the Festival Centre. Under the Act, there is a requirement for there to be a representative of the Adelaide Festival Board on the trust among the total of eight trustees.

Since the creation of the Adelaide Festival Corporation in 1998, the Adelaide Festival Board no longer exists. Consequently, since that time, there has not been a representative of the Adelaide Festival Board on the Adelaide Festival Centre Trust. Furthermore, were this representative position to continue, a member of the trust representing the Adelaide Festival Corporation could be subject to a conflict of interest, due to the nature of the operation of the two organisations and the degree of autonomy now existing. This is the reason why there is no longer a representative of the Adelaide Festival Centre on the board of the Adelaide Festival Corporation.

The proposed amendments to section 6 of the act remove that representative position of the Adelaide Festival Centre Trust, while retaining the total number of trustees at eight. Consequential changes to the act have been identified. References to the term 'Chairman', which is no longer used, have been deleted, and sections 10 and 13 have been rewritten in modern terms. The Government intends that these amendments will allow the full number of positions on the trust (8) to be filled. The trustees currently in office will continue to hold office in accordance with the terms of their appointments, with an additional trustee being appointed by the Governor on the nomination of the Minister for the Arts. I commend the bill to honourable members, and I seek leave to insert this explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 4—Interpretation

As a consequence of the passage of the *City of Adelaide Act 1998* and the *Local Government Act 1999*, the definitions of member of the Council and officer of the Council are inconsistent with current law. In addition, neither of these definitions are necessary for the interpretation of new section 6 (*see clause 3*). These definitions are, therefore, to be repealed by this clause.

The reference to the 'chairman' of the Trust currently included in the definition of trustee is to be deleted. This title is obsolete and is to be replaced by a reference to a trustee being appointed to chair meetings of the Trust (*see new section 6(3)*).

Clause 3: Substitution of s. 6

New section 6 provides for the composition of the Trust. It is very similar in its terms to current section 6 except that there is to be no provision for the appointment of a trustee nominated by the Adelaide Festival Board. However, the number of trustees (8) remains the same as does the method of appointment.

6. Composition of Trust

The Trust will consist of 8 trustees appointed by the Governor, but now 7 of them (rather than 6) will be nominated by the Minister. The eighth will be nominated by the council of the Corporation of the City of Adelaide from its members, officers or employees.

One of the trustees nominated by the Minister will be appointed by the Governor to chair meetings of the Trust. Trustees will be appointed for a term not exceeding 3 years specified in the instrument of appointment and will be eligible for reappointment. Suitable persons may be appointed by the Governor to be deputies of trustees.

Clause 4: Substitution of s. 10

New section 10 has the same substantive effect as subsections (1) and (2) of current section 10. The substantive effect of subsections (3) to (6) (inclusive) of current section 10 has been relocated to new section 13 (*see clause 5*).

10. Common seal

The common seal of the Trust must not be affixed to an instrument except in pursuance of a resolution of the Trust, and the affixing of the seal must be attested by the signature of two trustees.

Clause 5: Substitution of s. 13

Current section 13 includes provisions relating to the chairman of trustees. New section 13 deals generally with the proceedings of the Trust and is expressed in current drafting terms.

13. Trust proceedings

As currently required under the Act, 4 trustees constitute a quorum at a meeting of the Trust.

The trustee appointed to chair meetings of the Trust will preside at each meeting of the Trust at which he or she is present but, in his or her absence, a trustee chosen by the trustees present at the meeting will preside.

A decision carried by a majority of the votes cast by trustees at a meeting is a decision of the Trust.

Each trustee present at a meeting of the Trust has one vote on any question arising for decision and, if the votes are equal, the trustee presiding at the meeting may exercise a casting vote.

A conference by telephone or other electronic means between trustees will, for the purposes of this section, be taken to be a meeting of the Trust at which the participating trustees are present if notice of the conference is given to all trustees in the manner determined by the Trust for the purpose and each participating trustee is capable of communicating with every other participating trustee during the conference.

A proposed resolution of the Trust becomes a valid decision of the Trust despite the fact that it is not voted on at a meeting of the Trust if notice of the proposed resolution is given to all

trustees in accordance with procedures determined by the Trust and a majority of the trustees expresses concurrence in the proposed resolution by letter or by facsimile transmission or other electronically transmitted written communication setting out the terms of the resolution.

The Trust must have accurate minutes kept of its proceedings.

Subject to the principal Act, the Trust may determine its own procedures.

Clause 6: Transitional provision

A trustee holding office immediately before the commencement of clause 3 will continue to hold office in accordance with the terms of the instrument of the trustee's appointment.

Ms HURLEY secured the adjournment of the debate.

AUDITOR-GENERAL'S REPORT

Consideration of the report of the Auditor-General and budget results 1999-2000.

(Continued from 24 October. Page 225.)

In committee

Mr FOLEY: Mr Chairman, I draw your attention to the state of the committee.

A quorum having been formed:

The CHAIRMAN: Order! I declare open for examination the lines relating to Minister for Government Enterprises and Minister for Information Economy as they relate to the Auditor-General's Report.

Mr FOLEY: The record profit produced by SA Water this year was a record profit, as I understand the reduction in waste discharge was also a record. How much above budget was the final year's results?

The Hon. M.H. ARMITAGE: I do not recall this being in the Auditor-General's Report but I will take advice per se.

The CHAIRMAN: Could the member for Hart give a reference to the volume and page?

Mr FOLEY: It is under the SA Water 'Financial statements' as it relates to the profitability of the organisation which is in the appropriate volume in the Auditor-General's Report.

The Hon. M.H. ARMITAGE: The operating profit before abnormal items and income tax was $205 million; the abnormal items were $8.776 million and the operating profit before income tax was $196 556 000. I believe that is the question the member was asking.

Mr Foley: How much above budget was that?

The Hon. M.H. ARMITAGE: My recollection is—I do not have it here; it is not in the figures I have—that it was in the vicinity of $1 million to $2 million above budget.

Mr CONLON: I note that $10.5 million was spent on consultancies. Will the minister itemise them and indicate their subject matter. Will he also say who performed them and indicate the cost of each one and whether any of them were examining the further outsourcing or privatisation of SA Water?

The Hon. M.H. ARMITAGE: A number of contracts were let. I would like to provide the answer specifically to that because I know it is of interest to the committee. There were a number of consultancies for 1999-2000 and 2000-01. There was a particular consultant—

Mr Conlon: Hurry up; this is my half hour!

The Hon. M.H. ARMITAGE: You asked me to list them, so I will. One was for the value improvement initiatives aimed at increasing the corporation's value by 10 to 15 per cent; the expenditure I believe was $0.8 million. Business reviews were targeted at cost reduction, improving productivity, providing insurance over key business processes and water and sewer pricing reviews: 2000-01 expenditure, $1.2 million. There were risk management initiatives, including environmental improvement and environmental management systems, treatment plant audit and security related initiatives including Y2K requirements, systems disaster recovery, emergency response planning and water supply contingency planning: 2000-01 expenditure of $0.3 million.

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

The Hon. M.H. ARMITAGE: Just before the dinner break I was identifying the forecast for 2000-01 for consultants' expenditures. There are two more: the international and economic/industry development initiatives and advice, including assessment of exports and company performance, expected expenditure for which in 2000-01 is $900 000; and capital project support, including design services and advice and preliminary investigations covering both water and waste water assets, is $4.5 million. I intend to read in the 1999-2000 expenditure—not all the consultancies but just the figures.

For the first consultancy I mentioned, the 1999-2000 expenditure was $4.1 million; for the second, the 1999-2000 expenditure was $1.6 million; for the third, the 1999-2000 expenditure was $900 000; for the fourth it was $700 000; and for the fifth one that I identified, it was $3.2 million.

Mr CONLON: Did United Water International fulfil all its economic development obligations under the contract during the relevant period 1999-2000?

The Hon. M.H. ARMITAGE: The answer is yes.

Mr CONLON: Why did SA Water establish a subsidiary called SA Water International 'through which to conduct future overseas operations' when this, it seems to me, is supposed to be United Water's job under the water contract?

The Hon. M.H. ARMITAGE: One of the things that is particularly well known when dealing specifically in Asia is that large numbers of Asian companies and countries particularly like a government to government relationship, and it became clear during the exploration of SA Water's water management role, as I discussed with the member for Elder yesterday, that this was a real opportunity to take a very small part of a large contract in various areas around the world with the option then of SA Water ensuring that the contractors in South Australia—United Water and Riverland Water—and a number of the companies in the water industry alliance benefited from the high level government to government relationship.

It was not in any way seen as usurping United Water's role, and indeed I have been party to several meetings where the opportunity for work flowing from any contracts which SA Water would do as water managers (not providers of the services) would be offered to United Water and other contractors in South Australia.

Mr CONLON: How was Mr Peter von Stiegler, who works for SA Water International in Indonesia, appointed and what is his job?

The Hon. M.H. ARMITAGE: I will go through the Auditor-General's Report and see where Mr von Stiegler is mentioned.

Mr CONLON: I have mentioned SA Water International; we note that he is an employee.

The Hon. M.H. ARMITAGE: I am sorry; I am just making a point. I will have to clarify the details of his appointment; I am not certain of that and I would not want to

mislead the member for Elder. Certainly, as a representative of SA Water, undoubtedly his job is to identify opportunities for the South Australian water sector, and indeed from my knowledge of him, having met him once, to establish contacts with key personnel in Indonesia and, if you like, to open opportunities for SA Water as a water manager and other people visiting Indonesia from Australia to expand our industrial input into Indonesia.

In relation to allegations that were made yesterday in the House, inquiries have been made, and I am informed that there is no document, material or evidence which could lead to any assertion that people employed in the international division were employed improperly, and certainly the corporation, I am informed, has no reason to believe that there was any irregularity in Mr von Stiegler's appointment. However, as I have indicated, I am unsure of the exact details. I will check and clarify that matter, but I am informed that there was no irregularity. However, I reiterate that in Asia it is often thought important to have people who establish relationships so that they can pave the way for future contracts.

Mr CONLON: Dealing for a moment with United Water International, what was the target level of exports for 1999-2000; what was achieved; and what proportion of this was directly attributable to United Water International? How did it go?

The ACTING CHAIRMAN (Mr Williams): Order! I draw the member's attention to the fact that this is an examination of the Auditor-General's Report; it is not an estimates committee. Could the member refer to the Auditor-General's Report in asking his question?

Mr CONLON: I understand that the Auditor-General's Report does deal with United Water and United Water International. If you are to confine me to the printed word, you can rule that way but, as I understand it, the Auditor-General's Report does deal with United Water and United Water International.

The Hon. M.H. ARMITAGE: The Auditor-General's Report comments on United Water's performance without qualifying it—and in fact favourably—and that is the end result of a lot of work that has gone into appropriate performance internationally from United Water. In relation to the exact figures, I am completely comfortable in providing those later. I do not have them here because, frankly, I did not expect to be quizzed on that area, given that the Auditor-General did not make any adverse comment in relation to it.

However, I would say that one of the values and great benefits of having two major companies that have won contracts as part of the outsourcing strategy for making the South Australian water industry internationally competitive has been the internationalisation of the industry. I mentioned in passing recently the water industry alliance, and it is very clear that when I attend the meetings of that industry alliance it is now no longer focused internally but is focused on winning international business.

I have been told on several occasions about the very positive move, whereas previously in an internally focused industry sector, people were focused solely on beating each other and undermining themselves within the South Australian industry. What has now occurred is that, whilst there is still fierce competition on our soil, there is also a recognition that we can play a major part internationally, and indeed there is a collaboration between many of the people in the water industry alliance such that fierce competitors in Australia for a particular contract can frequently band together to win contracts in overseas arenas which their size would not allow them to win on their own.

That, it is reported to me by members of the Water Industry Alliance, is a direct effect of the internationalisation of the water industry whereby it is now focused more directly on what really good things are occurring in Australia, and in South Australia in particular, which can be exported. I was recently asked to speak at a utilities conference in Melbourne, where it was quite clear that our focus is leading the way in the provision of water by our water utility in comparison with those of other states.

Mr CONLON: Page 123, dealing with the economic development performance review, states:

> Schedules to the Adelaide and Riverland contracts specify the formal reviews to be undertaken to assess the progress. . . in meeting their economic development commitments.

It goes on to point out that the Schlumberger contract does not require these formal reviews to be performed. Why is that? How do we then determine whether economic development requirements are being met? What sort of safeguards are there? How is it done? Why is this contract not like the others?

The Hon. M.H. ARMITAGE: The Schlumberger contract is obviously of great interest to the community because it is again an opportunity for us to be internationally successful. Indeed, we have already shipped a number of meters made in South Australia to the United Kingdom as part of that contract, and huge benefits flow from that. That is regularly reported to me at meetings that SA Water and the management of Riverland have in relation to reporting, which is a standard process; that is not an unusual process.

It is no secret that some of the difficulties with foundries in the Adelaide Hills have presented Schlumberger with some immediate short-term difficulties with sourcing the castings of the bodies for the meters. I am informed that Riverland and Schlumberger have been addressing this matter, and we are looking very pleasingly at—

Mr Conlon interjecting:

The Hon. M.H. ARMITAGE: Yes. We are looking very pleasingly at capturing much more intellectual property in the Schlumberger contract and in the Riverland contract, such that we will be able to have more than just the meters per se presented. I am informed that claims for export credits through this contract will continue to be monitored and that reporting requirements will be reinforced with the contracted parties as in the audit. As I indicated, the Auditor-General regarded that as a satisfactory response.

Mr CONLON: I am sure that the minister is expecting this question, so I will not let him down. What was the breach of the Riverland contract (page 124)? I note that penalties have been suspended while a dispute resolution process occurs. What is the progress there; what was the breach; what has been done to rectify it and where are we with it?

The Hon. M.H. ARMITAGE: Yes, I was expecting the question. One of the things that ministers who have contracts to administer must ensure is that the contracts are met. In relation to the Riverland contract, there were certain conditions in relation to net exports that we believed Riverland was not meeting.

Members interjecting:

The Hon. M.H. ARMITAGE: It is public. As minister, I felt that this was unsatisfactory and that there were a number of options in the contract that I could invoke. One of those was to identify to Riverland that I felt that it was in breach of the contract, which sets up an automatic resolution

process whereby the two parties get together in a dispute resolution process to assess both contract and possible outcomes or, indeed, whether there is a breach of the contract.

Needless to say, Riverland Water has denied that it is in breach of the contract, which, given our negotiations prior to my identifying that we thought it was, does not surprise me at all. However, the important feature is that in any dispute resolution process the outcomes can be either positive or negative. I was briefed quite recently and some matters have been put in train as part of a dispute resolution, with neither side backing away from its claims: we believe that Riverland has breached and it believes that it has not.

But the positive outcome is setting in train a number of really quite exciting possibilities for, in particular, waste water in South Australia. This is something that, as minister, I would be very pleased to foster, given that we have made a number of quite innovative attempts to achieve a really great result for waste water. I see the member for Hart: he and the member for Lee have both acknowledged publicly the role of the government in ensuring that there will be no waste water discharge into the Port River. They have also acknowledged publicly the success of the Bolivar DAF project.

Mr Foley: Sean Sullivan did that.

The ACTING CHAIRMAN: The member for Hart knows that he cannot interject when he is out of his place.

The Hon. M.H. ARMITAGE: Nevertheless, he is unable to stop himself. To indicate that Bolivar and the DAF treatment plant were Sean Sullivan's work is fatuous and incorrect. It started well and truly before Mr Sullivan was in the position of CEO. The DAF plant was actually opened by Mr Ted Phipps.

Mr Foley interjecting:

The Hon. M.H. ARMITAGE: No, but you said in relation to the DAF treatment plant. We have discussed that on many occasions before.

Mr CONLON: On a point of order, I hate to raise matters of relevance but, somewhere in this answer, can I find out what the alleged breach was?

The ACTING CHAIRMAN: I would ask the minister not to respond to interjections.

The Hon. M.H. ARMITAGE: From our perspective there was an unsatisfactory export performance. There was also a key commitment in relation to the provision of Acumem as technology. Again, we believe that there is a breach and Riverland Water denies that. In both those cases we are in an automatic dispute resolution process and, at the end of that process, an outcome will be available for the government to identify.

At that stage we can either press our claim or, if we believe that the contract has been met through Riverland's alterations to our expectations, that would be to South Australia's advantage and, obviously, we would agree with that at that stage.

Ms HURLEY: I refer to page 120 and to the customer service information system. I am aware of an incident whereby one family, after they received a new water meter, got a hugely increased bill. SA Water personnel denied that it was anything to do with the new meter or that the new meter might be wrong and suggested that the household had a greatly increased water usage. Subsequently the water meter was changed and following that the family's water usage returned to pretty much what it had been for the nine or 10 years previously. SA Water says that it is a matter of the household being made more aware of their water usage and reducing it. When the new water meters went in, was there an increase in water usage by householders generally, and what was the extent of the increase in water usage? Was it reported by a large number of houses where the water meters went in?

The Hon. M.H. ARMITAGE: This is an important matter, which I believe we have discussed in the chamber before, or certainly in public. Depending on how one looks at it, whether one is the minister responsible for SA Water as a government enterprise (in which case it would be regarded as an unfortunate thing) or whether it involves the consumer to whom this had happened (in which case it would be a fortunate thing), one of the occurrences that is not at all infrequent with the old meters is that they either measure slowly or not at all. It is not at all infrequent for me as minister to receive letters from members opposite and members on this side of the chamber where incidents, such as the one to which the deputy leader refers, are brought to my attention. I have found, almost without exception, that when the old meter is checked it was either going slowly (in other words people might use 1 000 kilolitres and it measures only 800 kilolitres) or it has stopped completely and they are using water with no measurement whatsoever.

When the new meters were mooted (and I am sure the deputy leader and I have discussed this in public before) there were a number of claims that they would read fast, which was totally denied because there are Australian standards for variances between meters. Some of those standards from memory are, in the early stages, 2 per cent above on the basis that over a 10 year period it will wind back to be slower and it will be equilibrating. That is the thesis of it anyway. In the Australian standards there is a tolerance within the meter usage and meter measurement. That is in my view almost universally the cause of people getting a suddenly increased water bill, namely, that their previous meter was either measuring slowly or is blocked. When it is replaced with a new one that measures accurately they are not charged for more water but for the water they use, whereas before they were being charged for less than the water they used. That is the general thesis.

If the deputy leader chooses to give me now or later the specifics of the case, I am happy to look at them. If there has been some bungle we will fix it up, but I can definitively say that it is very rare. On average I get copies of two or three letters a month sent to members of parliament by people complaining about this very thing and it is usually found that, when the new meter, which has led to the constituent having a complaint, is checked and verified, it is measuring correctly. The assumption is then obviously that the previous meter was not measuring all the water being used.

Ms HURLEY: I was actually asking for some indication, which the department must surely have, on the increased consumption when the new meters went in. What was the average increase in consumption by households if the old meters were in such a widespread way defective?

The Hon. M.H. ARMITAGE: I could be cute and say that the average consumption did not increase at all. No-one used more water because a new meter was put in. What may have occurred is an increased and more accurate measurement of the water being used, but certainly no-one would have used more water on the basis that they had a new meter put in. The meter may have been measuring the same water more accurately. I will certainly get the answer for the deputy leader as it will be an interesting figure. It will not be an increase in consumption but a more accurate reading of what the people were consuming.

Time expired.

The ACTING CHAIRMAN: I call on the Minister for Police, Correctional Services and Emergency Services.

Mr CONLON: I note that the audit for the Emergency Services Administration Unit was not complete and that there would be a supplementary report. A lot of rumours have been running around about the budgetary situation in ESAU and the allegation is that it has blown its budget quite seriously. Is that the case and is that why we do not have an audit at this point? What is going on there?

The Hon. R.L. BROKENSHIRE: With respect to ESAU, we have gone through a monumental transition. I do not give a lot of accolades to the member for Elder, but I put on the public record my appreciation of his tenacity at the recent Labor convention and actually supporting the Emergency Services Fund. Whilst I normally have a go at the member for Elder for playing games, on this occasion I thank him for supporting the Emergency Services Fund, because he was the first member on the other side who actually at his own Labor convention, where I am sure he was under enormous threat and pressure, stood up in front of a couple of hundred delegates and told them that the Emergency Services Fund was in the state's best interests.

Given that the member for Elder did that, I come back to the question at hand. We are going through transition. In the next few weeks or months the Auditor-General will give a financial audit to the emergency services. At this point that is not qualified and has not been included in the report due to the fact that they are still working through those financials. I am not in a position to comment on specifics around budgets except to say that the total global budget of $141.5 million was spent on emergency services. There were significant increases to CFS and SES, marine rescue and surf lifesaving, and when the Auditor-General has reported to the House on the specifics of the finances I will be happy to take further questions from the member in the chamber.

Mr CONLON: In case it was not understood, my question was not about the $145 million or whatever the minister says it is in the overall emergency services and associated budgets. My question goes to the budget for running ESAU. I have been told that ESAU ran seriously over budget in the last financial year. Surely the minister has some ballpark idea whether or not that is the case, or is everything hunky-dory there?

The Hon. R.L. BROKENSHIRE: As I have said before, one thing that I will never do as a member of parliament, or indeed as a minister of the Crown, is pre-empt the Auditor-General and his reports. The Auditor-General has said in this report that he is still to assess the finances around the Emergency Services Fund. He will give an independent report to the parliament. When he does that, I am happy to answer the questions that the honourable member asks.

Suffice to say, however, that the Emergency Services Administration Unit is subordinate and a service level agreement provider of emergency services. Effectively, it provides administrative and other strategic, occupational health and safety and procurement support to the individual emergency services. My understanding is that the Emergency Services Administration Unit has worked within its budget, but I do not want to pre-empt the situation until such time as the Auditor-General has reported to the parliament.

Mr CONLON: I thank the minister for not a lot, really. I note that the Mount Gambier prison contract has been renewed for a further five years, and that it was as a result of a review and a consideration of options. I have a couple of associated questions. However, first, I would like to know how the price of the contract was determined. I would assume (and the minister can help me here) that the original contract would have been determined in a competitive environment with people making tenders. How has the price for the renewal of the contract been determined, and what is it?

The Hon. R.L. BROKENSHIRE: I am absolutely delighted that the honourable member has asked this question, because—

Mr Conlon: Genuine interest.

The Hon. R.L. BROKENSHIRE: —he is genuinely interested, as he is the shadow spokesperson for this area. I am sure that, like me, the member for Elder wants the best opportunity with respect to issues around overall budgets for Correctional Services, issues around restorative justice and, importantly, issues around those people who have been incarcerated repaying society for the trauma that they have caused and the crime that they have committed against an individual or members of the South Australian community. That is a very important component of Correctional Services.

I wish to provide some overall background to this matter, particularly with respect to privatisation. I think that part of what the honourable member might be alluding to is whether privatisation in the South Australian Correctional Services Department in the best interests of the community of South Australia.

Mr CONLON: No, I do not think the minister understood me. I asked how he determined the price of the contract. I have not been critical or praising. I just want to know how the minister determined the price of the contract.

The Hon. R.L. BROKENSHIRE: I would like to give a full and rounded answer to the honourable member. Given that this morning on the ABC I heard some comment with respect to the Bracks government and how it has done away with privatisation of a prison in Victoria, I want to reinforce the fact that I put on the public record—

Mr Foley interjecting:

The ACTING CHAIRMAN: Order!

Mr Foley interjecting:

The ACTING CHAIRMAN: Order!

The Hon. R.L. BROKENSHIRE: I want to put on the public record that I am very pleased with what Group 4 has done with its contract in Mount Gambier. We have tabled two reports in this chamber about the Group 4 contract. I want to go through the specifics of the renewal of the Group 4 contract. The contract for the management and operation of the Mount Gambier Prison was due to expire on 27 June this year. I spoke to my department in the mid to latter part of last year and asked that it review the various options available to it in conjunction with the Prudential Management Group. So, the department and the Prudential Management Group, totally separate from me as minister, reviewed, first, the options and, secondly, whether we were getting value for money.

An independent review confirmed the department's findings that the existing contract (the one that was due to expire on 27 June 2000) had been both operationally effective and, more importantly, had resulted in a value for money outcome.

An honourable member interjecting:

The Hon. R.L. BROKENSHIRE: They are indeed, and that would be good for you, because I understand that, at times, you might have some pressure from other unions on you, and it is good to have some that look after you. If I can

assist you in that process by getting good value for the dollar for the South Australian community, I will do so.

On 20 December 1999, I put a submission to cabinet, which gave approval to me to review the contract for a further period of up to five years. I am pleased to say that, taking into account the independent review of the department, the two reports that were tabled in the parliament and the Prudential Management Group, it was decided that a new contract would be signed and, indeed, it was signed on 19 May this year and became effective from 27 June. So, I reassure the shadow spokesperson and the South Australian community that the processes were very clear and very transparent and have allowed, again, savings, good development and good delivery of services through Group 4 to the Mount Gambier prison.

Mr CONLON: Thank you, minister, for answering absolutely everything that I did not ask. I have not criticised the renewal of the contract. Just call it a fascination. I just want to know how we determine how we spend the public money. Was there a mechanism within the contract to determine the price of a renewed contract? How was it arrived at?

While the minister ponders that, I will ask the minister to answer these two questions. It has been raised with me—as it has probably been raised with the minister—that at the time that the contract was first entered into with Group 4 there may have been a subtly different legal environment in which the contract operated. I refer to such difficult and technical matters of when a prisoner is in the custody of the police, of the court, or of Correctional Services, or with Group 4, the agents of Correctional Services. I wonder whether the renewal of that contract and, of course, considerations of the contract for the transport of prisoners and those sorts of legal considerations have been taken into account.

The Hon. R.L. BROKENSHIRE: In short, my understanding is that all legal considerations were taken into account. There are two different contracts with Group 4, one of which concerns Mobilong and the other—

Mr Conlon: Can the minister answer with respect to both?

The Hon. R.L. BROKENSHIRE: Certainly. I am a very cooperative minister, as the member would agree. One concerns prisoner transport, which is a separate issue to management of a prison privately on a government-owned facility, so they were looked at independently and separately.

I can report to the honourable member in general terms that the value that we are receiving for every dollar that we spend on prisoners in Mount Gambier is as good as we are getting in any of our other prisons operated under the public sector. I would also like to put on the public record my appreciation of what the absolute majority of public—

Mr Conlon interjecting:

The Hon. R.L. BROKENSHIRE: I will talk about that as well, because the honourable member has raised an interesting point that I would love to get on the record, and he has given me a chance. He is a fair sort of member, so I thank him for that.

The value for money that we receive in Mount Gambier is at least, in the worst case scenario, equivalent to what we receive from the public sector, but there are benefits in having a privately managed prison as well as a publicly managed one. I want to place on the record the appreciation of the public service workers, by and large, in mainstream prisons also, because between what Group 4 has been doing at Mount Gambier and what the other prisons have been doing with respect to public sector management has been very good.

Contrary to what the member for Hart and the member for Elder might imply, I am sure they will be delighted to hear—because I am happy to put it on the record—that we had the lowest number of escapes in the prison system for over 10 years. Contrary to what the opposition said and the media reported when a prisoner escaped, the bottom line is that we had the lowest number of escapes in over 10 years.

Mr Foley interjecting:

The Hon. R.L. BROKENSHIRE: Obviously, there are other issues concerning prisoner management, which I will not go into today but which I will report one day—and, boy, will I look forward to it!

Mr CONLON: I congratulate the minister on going for quality escapes, for spectacularly good ones, rather than sheer numbers like an ordinary minister might have done. I turn briefly to the police and the audit findings. It does seem that the Auditor-General usually has more to say about the police in terms of the audit than most of the minister's other authorities. Again, a series of concerns is raised about the firearms control branch. It seems to me that there have been concerns from the Auditor-General about the operation of this section for every year I have been in the House. Who has got it right? Are the police right; is the Auditor-General right; and what are you doing about it?

The Hon. R.L. BROKENSHIRE: I can recall last year the honourable member asking a similar question. I would like to preface my answer by saying that, when you look at the fact that the police are my biggest portfolio, and the police do such a wonderful job in this state, when you relate that to the Auditor-General's Report it is fair to say that the Auditor-General's Report on the South Australian Police Department is a good report. I just want that noted. The police run a great police force not only in operations but also in procedure and administration. Clearly, the Auditor-General has indicated that the South Australian police department does a very good job. Let us talk about firearms for a moment. In December 1999 there were almost 17 000 expired licences against which firearms were registered. A similar issue was also raised, as the honourable member would recall, in 1998-99. Notwithstanding that, action has been taken and there has been some improvement in the overall number of expired licences. In fact, I would like to put on the public record the department's response to the Auditor-General's Report as follows:

> There had been a reduction in the number of expired licences to 14 700 by May 2000, but only after a very labour intensive effort including the use of part-time contract workers. Further efforts would be made in this regard but with the intention of using sworn and unsworn staff in lieu contractors where opportunities presented themselves.

To summarise, the 17 000 expired licences identified in January 2000, by the end of August 2000 had been reduced by nearly 2 000 to 15 017; in other words, over 10 per cent. I congratulate the police on that. I acknowledge, and I say to the honourable member, that irrespective of who is in government there will always be an issue about expired licences.

One of the things I also intend to consider in the near future is another amnesty on firearms and expired licences because as a government we are committed to ensuring that the community is kept safe and to ensuring we can get those rifles, which I admit—anyone would—are still out there not licensed, through the presses so that they are not out in the community. It is a challenge; it is not easy but we are committed to work on it. At the same time I put on the record the fact that, when you look at the professional shooters

associations, both in pistol and in rifle, in South Australia we can be very proud of the professionalism, training and guidance, and the way in which they go about their business. Firearms is an issue that none of us should take any other way than very seriously. We are working within our capabilities to reduce the number of expired licences. It is an enormous process, but the department is working on it. While I accept what the Auditor-General has said, I reinforce the fact that they have reduced the expired licences by approximately 10 per cent in a period of eight months.

Mr CONLON: Again, at page 528, dealing with the police, the Auditor-General is concerned that there are not specific policies and procedures for non-sworn employees and that they should be developed. I think you know to what I refer, that is, the lack of formal training, policies and procedures for non-sworn employees. I note there is a printed response. Are you satisfied with the response of the department; have you personally taken an interest in this matter; and have you checked with them to make sure the response in your view is adequate?

The Hon. R.L. BROKENSHIRE: I am glad the member for Elder has raised this issue. It does not matter the facet of life in which you are involved, you can always do better, you can always train more and you can always have better policies and procedures. After discussing this issue and the general issue of training with the Commissioner of Police, the short answer is yes, I am satisfied with what police have put into place when to comes to non-sworn employees. Within my capabilities and within the capabilities of the department, when it comes to training generally, whether sworn or non-sworn, I want to see more effort put into that area, particularly with sworn officers because we have a further diversification, a further challenge and a further risk factor today when it comes to policing than we had five, 10 or 20 years ago. The short answer is that I am satisfied with what the Commissioner of Police has put in place with respect to non-sworn employees, but I will continue to watch, with a great deal of vigilance, the training and procedural matters concerning sworn and non-sworn officers in the South Australian police department.

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

A quorum having been formed:

The ACTING CHAIRMAN: We are now examining the Auditor-General's Report in relation to the Minister for Local Government and the Minister for Aboriginal Affairs.

Ms KEY: With regard to the Aboriginal affairs portfolio, I refer the minister to part B, volume 1 of the operating revenues (page 337). The minister may want to take this question on notice; it would not be fair to ask her to provide all this detail tonight. Will the minister provide details of the means of collection of revenues in relation to water charges in Aboriginal communities, in particular the water usage user pays system being introduced into Aboriginal communities? Will the minister provide details of Aboriginal community participation in negotiations between the commonwealth and the state in relation to this user pays water system?

The Hon. D.C. KOTZ: This area is extremely important for our Aboriginal communities, because the Department of State Aboriginal Affairs has responsibility for essential services in those communities. The user pays system will be introduced once a whole series of water meters and so on are integrated within the system. Prior to that, a draft policy is under construction. The Anangu Pitjantjatjara Council will in effect complete that strategy, and it will be on its sign-off that the system will begin to operate. At this time, there is no succinct answer to the member's question. However, as soon as we have the Anangu Pitjantjatjara Council's approval—and the Department of State Aboriginal Affairs will obviously be working in close harmony with AP—I will advise exactly where that strategy is taking us into the future.

Ms KEY: Given the minister's answer and given that some of these things are still being negotiated, I will ask my other two questions, and the minister may like to respond to them later. What role will the state government play when an Aboriginal community has water supply cut off through the inability to meet user pays charges? Once the memorandum of understanding or agreement has been reached the minister might be able to provide that information. I am not sure whether the minister can answer that now. Will the minister also provide details of expenditure on individual water meters in Aboriginal communities?

The ACTING CHAIRMAN: Order! Will the members for Taylor and Chaffey please take their seats.

The Hon. D.C. KOTZ: In the first instance, there may be a slight misunderstanding about the operation of the Anangu Pitjantjatjara Council. The lands that we are talking about—and, therefore the essential services that are provided within those areas—are under the care, control, ownership and management of the council itself. The support the state gives is generally through the Department of State Aboriginal Affairs. We will obviously continue to make sure that every support mechanism we can offer with the resources we have will be given in terms of either advice or resources to the Anangu Pitjantjatjara Council. However, the metering and any undue problems involving, say, the water being turned off and then put back on—as the honourable member outlined—should and will be addressed by the Anangu Pitjantjatjara Council.

Of course, the state government would have an oversighting responsibility to make sure that the essential services for which we take responsibility continue to be maintained and upgraded and, regardless of the user pays principle, obviously it will be a means of making sure that no-one actually suffers within the lands because of any lack of ability to be connected to those supplies. In the end, it will come down to the Anangu Pitjantjatjara Council, which is the strong and representative group of all Aboriginal communities within that area, to make many of its own determinations for future outcomes. I will take the other question on notice.

Ms KEY: I refer the minister to Part B, volume 1, 'Revenues from government' (page 332). I understand that the commonwealth provides recurrent funding for the town maintenance in Aboriginal communities. That is administered through the Aboriginal Housing Authority. Furthermore, it is the policy now that this town maintenance is awarded through contract tender. Given this, will the minister provide details of, first, full-time employment positions lost by Aboriginal people in the communities; and, secondly, Aboriginal people in the community who work for non-Aboriginal contractors who successfully contracted for town maintenance while on the community development and employment program (CDEP)?

The Hon. D.C. KOTZ: It is a commonwealth based program, which is used very extensively to enable employment of Aboriginal people throughout all the Aboriginal communities. The member has rightly said that it is a federally funded program. However, the details the member asked for are not available through the Department of State Aboriginal Affairs. As the member would know, many of the

services provided in many different areas—whether it be education, housing, health, and so on—are run under different portfolio responsibility areas. Aboriginal housing actually comes through the Department of Human Services. The relevant aspects of those questions are therefore better related to the Department of Human Services, which I am sure would have all the details the member requires.

Ms KEY: I refer the minister to Part B, volume 1, 'Changes to operations' (page 329). Given the operational changes to the Aboriginal Housing Authority, will the minister provide details of demand for Aboriginal housing? In particular, will the minister provide details of the increase or decrease in demand for priority Aboriginal housing, the number of applicants on the waiting list, and the number of overall and available housing? By way of a general question in this area, does the minister have any comments on the process by which commonwealth and state funds are administered with reference to benchmarks on programs administered, and the success and effectiveness of the funding expenditure in that way?

The Hon. D.C. KOTZ: Once again, I have to direct the member's question to the Department of Human Services, because this is an area for which that administration caters. However, I should point out that in terms of the allocation of Aboriginal housing, in most cases I am aware of, it is the Aboriginal communities themselves who dictate the terms and the criteria applying to specific housing. I know that Aboriginal communities have their own priority listing and their own criteria in terms of length of time people may have been waiting. It can also cover categories of priorities such as health needs or any other needs that cause circumstances involving hardship. In the end it really comes down to Aboriginal committees making their own decisions on where housing is allocated. The general part of the member's question, though, would need to be diverted to the Department of Human Services.

Ms KEY: Are you saying that you are prepared to refer those questions? I am particularly interested in the issue of benchmarks. Has the minister any comments to make about that with regard to expenditure? I think commonwealth and state funds are interceding.

The Hon. D.C. KOTZ: Again, it comes under another area. It is not my responsibility per se. I can certainly take the aspects of your question and bring back an answer.

Ms KEY: In that case, I refer to pages 774 and 782, in particular 'Output Class', of the Auditor-General's Report.

The Hon. D.C. Kotz interjecting:

Ms KEY: Yes, this is local government. I am sorry; I think I mentioned that that was my last question. I now ask whether the minister is satisfied that there is no conflict of interest between the roles of Ms Susan Law as the chair of the TransAdelaide Board given that Ms Law is also the CEO of the Adelaide City Council? Obviously on the TransAdelaide board, decisions relating to public transport services could be seen to influence levels of commercial and other activity in the city of Adelaide.

The Hon. D.C. KOTZ: Again, we have perhaps our own conflict of interest here in terms of where responsibilities would lie. In terms of the transport question, I think probably that would be far better related into the area of transport. However, inasmuch as the question is also related to conflict of interest, it has not done so at any time—and it has only been a very short time, I believe, the appointment of Susan Law from Charles Sturt to the Adelaide City Council having occurred only recently. I can only at this time advise the member that I have not had any allegations placed before me to look at any possible conflict of interest. Without knowing the exact circumstances surrounding each of the positions that she is holding, it is very difficult to give the member an assessment at this point in time. Again, I am happy to look at that but to this date I have had no question of conflict of interest.

Ms KEY: I asked that question because as the fairly recently appointed shadow minister for local government I have had a number of calls from councils saying that they have concerns about the CEO of Adelaide City Council being on a board that looks at public transport and that perhaps their areas may be disadvantaged. A number of regional councils have also contacted me to say that they have concerns about this issue, so I understand the minister's answer. However, I was, as the shadow minister for local government, interested to see whether you had any views on that issue.

The Hon. D.C. KOTZ: I can only suggest in all good faith that those who have raised their concerns with the honourable member perhaps need to raise it where it can actually be picked up and checked out and some legal opinions sought.

Ms KEY: Fair enough Minister; I agree with that. The other question I would like to ask relates to volume 1, page 275, and this comes under the environment and heritage portfolio as well as the local government area. I think local government seems to be omnipresent as far as all the portfolios are concerned. My question relates to the catchment management subsidy scheme. Given that the government has almost halved the catchment management subsidy scheme from, as I understand it, $3.85 million last year to $1.95 million in 2000-01, and given that the applications, as I understand it, from councils now total just under $10 million, how does the minister expect councils to fund essential works on water management without their having to increase council rates?

The Hon. D.C. KOTZ: Again, these are areas in which I do not have responsibility. The Minister for Water Resources, I believe, has the responsibility for the catchment water management subsidy scheme. Local government, in terms of ministerial responsibilities, does not cover that aspect at all. I know that some concerns have been raised about this scheme and that there are discussions going on at the moment. However, in terms of any response that will fit the question the member has asked or satisfy those that may have been raised with her, it really needs to be raised with the Minister for Water Resources.

The ACTING CHAIRMAN: I report that the Committee has examined the report of the Auditor-General and has concluded its questioning on the same.

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

A quorum having been formed:

FIRST HOME OWNER GRANT (NEW ZEALAND CITIZENS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT DEBATE

The Hon. D.C. KOTZ (Minister for Local Government): I move:

That the House do now adjourn.

Mr MEIER (Goyder): Earlier today I was highlighting to this House information about the desalination plant on Kangaroo Island that supplies water for Penneshaw. I indicated the significance of that plant not only in relation to Kangaroo Island but also in relation to Yorke Peninsula. Without any question, in future years I see desalination as a definite option for the more remote parts of Yorke Peninsula where it would be very expensive to bring reticulated water using water from the Murray and other reservoirs in South Australia.

I also highlighted the process that is used for desalination and, to be quite honest, I was most impressed with the reverse osmosis process that is used to desalinate the water. In fact, it appears that an electro magnetic field similar to a mini microwave is the essential component to ensure that the fine membrane (which I would almost describe as filter paper) does not clog up with the salt, and therefore the sea water coming into the desalination plant is put through at a very rapid rate, in fact three litres per second, and the salt is automatically taken away through the osmosis process. I particularly want to thank Mr Trevor Lehman, the Manager of Water Treatment Operations for SA Water, for showing me around the plant. I was very appreciative of the run-down that he gave me.

As I said earlier today, whilst there are 250 persons in Penneshaw, on average, in the summertime and during holiday periods that increases to nearer 750 persons. That is a sizeable town and for a plant that cost a total of $3.5 million of which half a million was for the road leading to the plant and a significant proportion of the $3.5 million was for the 30 megalitre storage dam, which is fully lined both top and bottom, it is a proposition that is not prohibitively expensive. When I think of some of the projects coming up in Goyder and on Yorke Peninsula, then I see a very positive future for this plant.

Quite a few things impressed me about Kangaroo Island. I was most impressed by the number of tourists it attracts on a daily basis. I took the opportunity to visit Kangaroo Island by taking the Sealink ferry. The Sealink ferry leaves from Cape Jervis. On this occasion I took the opportunity to catch the Sealink bus from Adelaide and, if I remember correctly, we left at about half past 6 or quarter to 7 in the morning, and certainly it was a fairly full day. Captain David Mancer was good enough to invite me up onto the bridge—although I must admit that was prearranged—and give me a very detailed overview of how the Sealink ferry operates. I was most interested that he identified the fact that most of the people on the Sealink ferry on that particular day were one day tourists. I said, 'Well, that sounds a little unusual to me, leaving Adelaide at some time after 6 a.m.; what time do they get back?' He said, 'They will get back about 10 p.m. That does not seem to detract particularly overseas visitors who are keen to cram in as much as they can during any visit to any particular location.' So Kangaroo Island has attracted the appropriate attention overseas and people are happy to spend a very full day looking at the various sites.

I was not able to see all the things I wanted to, but I was most impressed with the eucalyptus farm that I visited, a farm that processes eucalyptus from the natural trees in the area by using equipment that was used many years ago. Not only have they established a eucalyptus processing plant but they have an extensive shop, together with an appropriate video and self-guided tour details. In speaking with the proprietor of the business I asked, 'How many people do you employ?' The wife of the proprietor said, 'It would be some 12 people.' That is a significant business when one considers that apparently the husband and wife team running it were unemployed some nine, 10 years ago. They started it off by themselves and now rely so much on tourists. I know that I bought several bottles of eucalyptus oil and also several bottles of tea tree oil, and there was a whole host of other things that one could buy.

Another particular venture that impressed me was that of marron farming. Unfortunately, time did not allow me to look over all the dams, but I again asked the proprietor, 'Where are your main export markets?' I was told, 'We do not have any marron available for exports. All the marron are sold to the tourists'—and certainly meals of marron were offered on site. I observed people taking advantage of the opportunity to eat very fresh marron on site. Again, the thing that struck me was not only the way in which things were set up but also the tourist buses that arrived during the period I was there. It highlighted to me that relatively small ventures can be very attractive to overseas tourists as well as local tourists.

Kangaroo Island certainly has the advantage of being an island, which Yorke Peninsula does not have, but with due respect to all Kangaroo Island residents and all people operating out of Kangaroo Island, I would say that Yorke Peninsula has an enormous amount to offer compared with the island, yet we are not attracting the tourists that we should be. In fact, recent figures indicate Yorke Peninsula is only attracting about 1 per cent of international tourists. I fully recognise that the various businesses, operators and tourist development ventures have to capitalise much more on overseas tourists.

If Kangaroo Island can get people leaving at about 6 a.m. and returning at 10 p.m., then it ought to be much easier for people to venture to Yorke Peninsula for the day, leaving at about 7, 8 a.m. and return significantly earlier as well.

Of course, the key feature about Yorke Peninsula is that there is the opportunity to stay on northern Yorke, central Yorke or southern Yorke. However, one of our failings at present is that we do not have a great deal of accommodation to cater for a full busload of people. Thankfully, that is being worked on, and I know of two proposed developments on northern Yorke Peninsula that will more than cater for a busload of people.

We are now talking more about having a similar accommodation setup down in the southern part, and time will tell to what extent it is extended to the central part of Yorke Peninsula. Whatever the case, from the desalination of water to the tourist options that Kangaroo Island offers, I must say that I learned a significant amount from my visit to Kangaroo Island, and I know that Yorke Peninsula will be able to capitalise on tourists much more in future years. I look forward to being part of that tourist increase.

Mr CLARKE (Ross Smith): Once more to a crowded gallery I give a grievance! The member for Goyder has very good eyes, but not that good. I rise tonight not just to pick at the Liberal Party's recent problems with respect to the allegations of branch stacking in the member for Unley's seat. I want to point out what is now very obvious to all of us, that we all must find it incredible that a major political party in this country, which forms government at both a national and a state level, can have a system whereby any person, no matter where they live in Australia, can join the Liberal Party and then decide that they can be parachuted anywhere in

Australia into a particular electorate and have a vote as to who the local member or local candidate for the Liberal Party shall be.

I hope that the Liberal Party rules—and although I have not read them I will do so with interest—can find that only residents of Australia can actually join the Liberal Party and get a vote at Liberal Party preselection ballots, otherwise I fear that we will find party recruiting officers in China, where there is a potential membership of one billion, persuading people to join the Liberal Party and parachuting them into the Unley sub-branch or some other sub-branch to vote for the Liberal Party candidate in that seat.

The Labor Party has had its fair share of problems: we have read of the fraud and corruption in Queensland, and I will not detail what happened here in South Australia in 1999; that is well known and on the public record. I simply say that I, as an ordinary citizen of this country, have written to the federal parliamentary committee that deals with electoral matters (headed, I understand, by Mr Gary Nairn) and put certain proposals before it.

Without traversing the history involving the Australian Labor Party branch stacking allegations and those within the Liberal Party, what I said to that committee on 25 September and in the supplementary report that I put in today in light of the recent events with respect to the Liberal Party preselection in Unley and in light of the comments printed in the Adelaide *Advertiser* yesterday by former Liberal Premier of South Australia Steele Hall (who is still an active member of the Liberal Party, as we all know) is that it is time that the parliament of Australia amended the Electoral Act so that political parties that want to put out their hand and receive millions of dollars of taxpayers' money in terms of election campaign subsidies must conform with certain minimum requirements.

Just as trade unions must have democratic rules, whereby their officers and executive must be under the direct control ultimately of the rank and file members of those trade unions, so should political parties. It is a nonsense that we in Australia pass laws such as, without going into the debate, the Associations Incorporation (Oppressive or Unreasonable Acts) Amendment Bill that is on the *Notice Paper*, which provides protection for members of incorporated bodies here in South Australia; we pass laws governing the rights of minority shareholders in public companies; we pass laws insisting on fairness in electoral boundaries; we pass laws insisting on the integrity of our electoral rolls, but we do not have any laws with respect to the internal governance of political parties in Australia.

What is the point if, at the front door, you have a democratic structure governed by the laws of this land, of fair boundaries, a secret ballot and all that, yet political parties themselves, particularly the major parties who form governments, who form the main opposition parties and who have a major influence on all the legislation, whether in this state or nationally, have no laws governing those political parties and they can be rotten and corrupt to the core? So, through the back door you can have corruption, cronyism and criminal activity within those political parties, yet there is no law governing their conduct.

It is high time that the parliament of Australia passed such a law. Major political parties do not want laws made, because they want to suit themselves. That is all very well, but when they put out their hand every three years for millions of dollars of taxpayers' money in the form of campaign funding for elections, then that invokes the public interest. Even without the money it invokes the public interest, but that is an even more compelling argument.

Political parties might say, 'We don't want state laws governing how we administer ourselves.' Trade unions have had to endure that since 1904 with the passage of the first Industrial Relations Act. Trade unions, rightfully, have a certain privileged spot in our society: they can engage in protected industrial action; they have exclusive coverage of a certain class of workers; they are able to seek amendments to awards and industrial agreements covering both members of that union and potential members of that union. In return, their internal governance is restricted by law under the Workplace Relations Act. As introduced by Clyde Cameron (when he was Minister of Labour in 1974), the rules of the trade union movement must provide for the democratic control of those registered trade unions, and any member who feels that rules that have been introduced are harsh or oppressive can appeal against those rules to the federal Industrial Court, where legal aid applies to those members. Those individuals can get that legal aid and that specialist Industrial Court can strike down rules that trade unions might have that are harsh, oppressive or undemocratic.

I believe that it is high time that we in Australia adopted a similar umbrella structure with respect to the internal governance of political parties. Let us make no mistake: there is a growing divide in Australia between the parliamentary system and the citizens that we are supposed to represent. The citizens increasingly feel that it is just politics as usual: that the politicians of this country are, by and large, in it for themselves; that they will do anything; that they are in it for ego or for power itself, not a clash of ideology about what is good for the future of this nation.

If you have a political structure in this country or in this state that perpetuates that view, you strike at the central tenet of our parliamentary democracy. If people believe that there is no basic democracy, that, whilst we may have laws governing the secrecy of a ballot or fair electoral boundaries, political parties themselves are above those requirements, that they operate in a corrupt manner, then we destroy that essential trust between citizens who are ruled by the parliament, and the parliament is supposed to represent the citizens of this nation. Essentially, we destroy that bond and trust. When we do that, we destroy our own democracy and this nation.

I know that many political leaders are honest, from whichever side of politics they come. They are hard working and want to do the best by their country. They do not understand that the minions underneath them within their political parties, in order to gain factional advantage within those parties, corrupt the system and the way in which they do business. The leaders tend to try to ignore what happens underneath them, believing it is controllable, but it is not unless they take firm action.

Motion carried.

At 9.2 p.m. the House adjourned until Thursday 26 October at 10.30 am.