HOUSE OF ASSEMBLY

Thursday 29 March 2001

The SPEAKER (Hon. J.K.G. Oswald) took the chair at 10.30 a.m. and read prayers.

MOTOROLA INQUIRY (POWERS AND PRIVILEGES) BILL

Mr CONLON (Elder) obtained leave and introduced a bill for an act to provide for certain powers and privileges in connection with an inquiry established in response to a resolution of the House of Assembly on 1 March 2001. Read a first time.

Mr CONLON: I move:

That this bill be now read a second time.

This bill is introduced as a result of the government's failure to abide by a unanimous resolution of this House some four weeks ago. Of course, that resolution dealt with the ongoing problem confronting the Premier and this government with regard to Motorola and in particular to the emergence of some documents which were relevant and germane to the inquiry of Mr Jim Cramond into Motorola but which were never delivered to that inquiry. The resolution of this House some four weeks ago called upon the Premier to appoint a further inquiry into why those documents were never delivered, what other evidence may have been misleading to the inquiry and what other documents may have gone missing.

Mr Lewis interjecting:

Mr CONLON: Of course, the member for Hammond has, quite wisely and correctly, had a great deal to say on this in the past. This bill seeks to give to the second inquiry the powers that were sought by the resolution of the House but were not given through the inactivity of the government and, might I say, through the dissembling of some government members. That is a point I will address. When the original motion of this House was being formulated, it called upon the Premier to give the powers set out in this bill to the inquiry, which we now know is headed by Mr Dean Clayton. The terminology used in the original formulation was that 'the senior counsel should be given the powers of a royal commission to subpoena witnesses and documents and take evidence under oath'. I would like to stress my disappointment at the process that occurred. In the formulation of that motion, it was the Deputy Premier who put to us—whatever his own reasons were—that the words 'of a royal commission' should be removed.

In the conversation that occurred in the corridors with the Deputy Premier, I confirmed that I did not require those words as long as the powers were included, and I was given that assurance at the time. I put that on the record so that I can express most strongly my enormous disappointment at having been, I believe, misled. I do not know whether it was Deputy Premier's intention to do that, but it is certainly the fact that the assurances and undertakings I was given were never honoured. That is why we see in this place today a private member's bill seeking to do what the Government should have done four weeks ago, had it dealt honestly and frankly with this matter. The fundamental problem with this whole Motorola issue is that it has never been dealt with honestly and frankly. That is why we find ourselves here 3½ years down the track—probably seven years down the track from the original side deal with Motorola—still trying to get to the truth. The bill will give powers to the inquiry to subpoena witnesses and documents, and take evidence under oath, and will apply penalties if the powers as exercised are not abided by. The powers—

An honourable member interjecting:

Mr CONLON: It is a criminal offence, and this bill will make it a criminal offence to ignore a subpoena to provide evidence or documents. The powers that we were told by this government could not be given unless there was a royal commission are lesser powers than those currently exercised by the Auditor-General in undertaking inquiries, and lesser powers than those currently exercised by the Ombudsman. I note the government's comments that it would be the end of civilisation and it would cost us millions of dollars if we appointed the person with the appropriate powers. However, I note that we have managed to survive for some time with an Auditor-General and an Ombudsman without beggaring the state. The government's arguments have been very shallow in this regard, indeed.

The second part of the bill seeks to provide the proper immunities to witnesses appearing before the committee, to the person heading the inquiry itself and to any counsel or legal practitioner representing an interested body before the committee. I assure this House that that is a simple and ordinary corollary of the existence of those powers to subpoena and to compel people, despite privilege against self-incrimination, to answer questions. It is a very ordinary corollary and very necessary—again, I believe drawn directly from the privileges that would apply were it a royal commission, or were it a court, for that matter. The government, having found itself backed into a corner yet again by the Independents through failing to abide by its undertakings four weeks ago, will introduce its own bill on Tuesday. As I understand it, the government's bill is more clumsily worded, and it is not as plain and to the point. However, it is likely that that bill will gain the support of the Independents and, with some reservations and questions on my part, will achieve the object of the original resolution of this House. I signal that, if that is the case and the government is this time as good as its word, we would seek to proceed no further with this bill and support the government's bill if that is the reality we face.

I will close by making these remarks. The process that has brought me into this place with a private member's bill was absolutely unnecessary and was on account of some significant dissembling on the government's part and some significant—I would go so far as to say—dishonesty and a failure to abide by undertakings given to me personally outside the House and, by voting for the resolution four weeks ago, given to this parliament inside the House. It has been very unfortunate. I do take great umbrage at the Attorney-General having described this as a mistake on our part and that no one who drafted this resolution understood the legal implications. We understood it fully. We discussed it at great length—

The Hon. W.A. Matthew interjecting:

Mr CONLON: We have the member for not-so-Bright over there, and I have to say that I know he is not in the Premier's inner circle. In fact, I know the Premier does not like to tell him very much at all in case it ends up with us pretty quickly. Now, I am not suggesting that he does that, but I suggest that is the suspicion of the Premier and some of his mates over there. So, when we talk about people who do not know much, we have the expert. At least I am being counselled by an expert. He is told very little just in case he

tells someone else. So please don't bother me with your banter, member for Bright.

I guarantee you that in the five hours of discussions on this bill I raised the issue. I happen to be a lawyer. I actually did finish my schooling. I am quite well aware of the old maxim that a stream does not rise above its source. I knew that the executive could not give greater powers than it has itself unless it did it under an enabling act or unless it introduced a bill itself. We discussed that at great length before we introduced the resolution. We left the government with a choice as to whether it appointed a commission under the Royal Commission Act, or unless it did what we did—what they said they could not do. We brought back a small bill to give the powers. For the Attorney-General to say that it was the fault of someone else who did not understand the legalities I think is grossly insulting, and I say to the Attorney-General, if he does think I am stupid, he has a lesson coming sometime in the near future. I commend the bill to the House with the reservation that, as I understand it, it may well be that I am not in a position to proceed with it as a result of supporting a government bill on the matter.

The Hon. W.A. MATTHEW (Minister for Minerals and Energy): I move:

That the debate be adjourned.

The House divided on the motion:

The SPEAKER: Before putting the vote, I point out to the House that under standing order 238 the second reading has to be adjourned and it is not possible to take this course of action. However, a negative was called and we have divided. Regardless of the outcome of this vote, if the House wished to proceed and continue the debate on the second reading, it would have to suspend standing orders anyway.

Mr LEWIS: I rise on a point of order, sir. Could you explain the motion again? The motion is that the debate be adjourned; is that right?

The SPEAKER: Correct.

AYES (23)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Matthew, W. A. (teller)
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.
Wotton, D. C.	

NOES (21)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Hurley, A. K.
Key, S. W.	Lewis, I. P. (teller)
Rankine, J. M.	Rann, M. D.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

PAIR(S)

Penfold, E. M.	Koutsantonis, T.

Majority of 2 for the ayes.

Motion thus carried.

Members interjecting:

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

SUMMARY OFFENCES (PIERCING OF CHILDREN) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 March. Page 1092.)

Mr SCALZI (Hartley): I support this bill, although I have some reservations about some provisions about which I will talk in the committee stage. I believe we can tighten the evidence to be given to prove whether someone is over the age of 16. I believe that the bill does respond to what I believe is a growing problem. Piercing is not just about the piercing of ears so that one can wear earrings. I remember as a child that my mother's role among the family was to pierce people's ears; of course, she did the metho bit and the children were quite happy. My mother was quite expert at it.

But things have changed and we are dealing with a possible serious medical problem. It is not just the piercing of ears which in itself could cause a problem. I was a member of the Social Development Committee that looked into blood-borne diseases. One has only to look at the statistics to see the increasing problems with hepatitis, especially hepatitis C. One cannot perform a medical procedure on a person under 16 years unless one has consent and proper medical facilities, yet this is not the case in respect of piercing. We are talking about not only ears but also above the eye and all parts of the body. I believe there is the risk of not only serious injuries but also the spread of blood-borne diseases.

The injuries and infections that could be caused could last far longer than the fashion. I know it is fashionable now and that people are piercing their tongues, cheeks and noses, but it is not a matter of saying, 'We do not want you to do this and we are infringing upon your rights.' It is a matter of what we do in a situation where the health of a minor could be endangered.

I commend the member for Fisher for introducing this bill, which is appropriate at this time and which is responding to something that is real in the community. It makes sense that not only doctors but also people who are performing medical procedures in terms of body piercing should be required to go through certain procedures. We know only too well that some people, later in life, regret having had tattoos. These sorts of procedures should not be allowed to be done lightly. A process should be put in place to ensure that a person has either parental consent or is accompanied by a parent or guardian for any of these procedures, and that the necessary safeguards are in place to ensure that there is not the potential for harm to the individual. I believe that 16 years of age is reasonable. Clause 21AA(1) provides:

> A person must not pierce any part of the body of a child under the age of 16 years unless the child is accompanied by a parent or guardian and the parent or guardian consents to the piercing of that part of the child's body.

There is a maximum penalty of $1 250 for a breach of that provision, and I think that that is reasonable. It will make an individual think about whether they really want that procedure. As I said, this is not simply about piercing someone's ears—although even that, given the transfer of blood-borne diseases these days, can be a risk. As I said, I know only too well from my time on the Social Development Committee

that blood-borne diseases are a real problem. Hepatitis C, especially, is a growing problem and many of the consequences of that disease are not experienced immediately but they can cause serious health problems in the future.

It would be a tragedy if someone were to fall victim to that just because of a particular fashion at that time. I commend the member for Fisher and, as I said, I want to look more closely at this issue during committee because I believe that we should provide greater evidence that a person is over the age of 16 years before the procedure takes place.

Mr LEWIS (Hammond): Quite clearly, the member for Fisher has sensibly drawn our attention to the deficiency in the present law, and it is an instance where the present law is most definitely an ass. How can it be that whereas medical practitioners—doctors—cannot perform a procedure which is surgical in the sense that it requires a cut, an incision, a pierce to be made to the skin of someone who is under the age of 16 years without obtaining the consent of their parents, an amateur, unqualified in any sense whatever, as far as accepted standards of examination and certification are concerned, can do it with impunity; and they can do it to any part of the body, as the member for Fisher points out. However, doctors who are not qualified for particular surgical procedures, even though they obtained the consent of the parent, would not be permitted to perform those procedures according to their professional qualifications if they were not so qualified. We must be mad to allow the present situation to continue one day or one hour longer, as it shows us to be grossly inconsistent and incompetent in understanding the law that we have at present where we say that the law protects the innocent from the rapacious or just generally from exploitation.

Clearly, those people who presently engage in body piercing activity have no regard for what the wider community expects of the medical profession when they undertake procedures on people who are younger than 16 years of age.

With respect to the measure that the member for Fisher has put before the chamber, I would ask that members look at clause 21AA(3). If when we get to it someone else has not beaten me to it, I will have an amendment circulated which tidies it up. The clause provides:

> It is a defence to a charge of an offence under this section to prove that, at the time the piercing was performed, the defendant had reasonable cause to believe, and did believe, that the person pierced was of or over the age of 16 years.

The court must accept the statement made by the person doing the piercing that they did believe at the time, and that is it. If you believed it was so, well, the court must accept it. To my mind that defeats the object of what the member for Fisher really sets out to do. To hell with it, as far as I am concerned. That provision must be amended to read that the person doing the piercing, who has then been charged with an offence, as a defence to that charge must be able to prove that they sought and obtained evidence, and can then produce that evidence in court, that the person upon whom they were performing the procedure was indeed over the age of 16 years.

It is not good enough for them to have formed the belief in their mind that the person was over the age of 16 years. That is a gross inadequacy of the proposal introduced by the member for Fisher—an innocent one albeit, but it is still inadequate.

The Hon. R.B. Such interjecting:

Mr LEWIS: Well, not only written permission from the parent, I would say, but also, along with the attendance of the parent, they must obtain and produce, if needs be in court, evidence that the person was over the age of 16 years at the time they performed the procedure; otherwise, they are guilty of a very serious offence. Why is it a serious offence? The members for Fisher and Hartley have pointed out in some detail that, at present, there is no requirement on the people engaging in body piercing to use clean instruments. They can use a screwdriver or a chook skewer if they want to, or even a corkscrew.

I happen to have had a bit of experience with piercing one's body—and not willingly, either. Bamboos have even been used, and they are not very helpful. They can be very uncomfortable, let me tell members. It does not matter what instrument is used, the discomfort, if it is done incorrectly, so far as facilitating the hanging of jewellery on bodies is concerned, is intense. Of course, if you are conducting torture, the discomfort maximisation is the object of the exercise. Those people really know how to turn it on, I can tell members; they know where to go and, in the process, they would not care a fig if they were to infect you with any kind of disease which there may be on the instruments they use and which your body may not be able to defeat through its immune system.

So, the fact is that this practice spreads hepatitis C; it will spread AIDS; it will cause bacterial contamination in the blood, commonly referred to as blood poisoning; and some people are allergic to different metals, the most common form of the allergy involving nickel. But there are others, and it depends on the particular genetic make-up of each of us as to whether or not we are allergic to one or more metal and, if we are allergic, then the extent to which we are allergic. It is pretty much like bee stings, in fact. All of those risks are present.

At the moment it is fashionable for children—who have no knowledge of what they are doing to themselves or the consequences of their actions—to, nonetheless, set out to adorn themselves by piercing their body and hanging what they regard as adornments in the holes. The people doing it are learning to do it by rote: they have no knowledge, whatever, of our nerve systems or of the physiology of the chemistry of the body. They do not have to have such qualifications. Word spreads, of course, if the piercing causes discomfort.

I think the practice of piercing bodies is idiocy, anyway, and ought to be discouraged because it produces a permanent infection in some parts of the body, such as in the tongue. The crazies who run around hanging jewellery off their foreskins and clitorises in the belief that it will enhance their sexual attractiveness do not really understand the grave damage they will cause to themselves later in life. But they will be there to suffer and in their later years I guess they will want the rest of us to pick up the tab of having surgery to fix up the discomfort they suffer as a consequence. I am not talking about infections: I am talking about neurological disorders which will result and which result in primitive societies where that sort of thing happens.

In this parliament we had the debate about female genital mutilation and how terrible it was. For their sake, our sake and the sake of taxpayers, we are allowing them to mutilate their genitals, or any other part of their body, in ways which are just as detrimental to their ultimate enjoyment of life if we allow this practice to continue. I am taking an even wider ambit than that of the member for Fisher. At the present time,

it is obvious that children 10 years old, or younger, are having their eyebrows, navels and ears pierced, as well as all manner of other places that I have spoken about.

Mr MEIER (Goyder): I rise to support this bill, and I believe it is necessary legislation in this day and age. I guess many of us, as adults in the community and also as parents, are fully appreciative of the impact that peer pressure has on young people of today to have parts of their body pierced. It is not new in one sense because I believe—and I do not mean to be sexist—that females have, for countless number of years, had their ears pierced and it has been accepted and not thought much of. Males also, in more recent times, I believe, occasionally have one ear pierced. However, the trend in recent times has been very much towards piercing parts of the body that I believe it is completely nonsensical to pierce, including piercing of the tongue: I could not think of anything worse than trying to eat my food with a ring through my tongue. I do not know why people have to go to such extremes.

An honourable member interjecting:

Mr MEIER: Or a stud through the tongue, yes; or a ring or a stud through the top of the eyebrow, let alone ears that are multi-studded with perhaps up to 10 piercings in one ear. I cannot see any point in it at all. But I guess that is part of human nature. Everyone wants to be different.

Ms Stevens: I can't see you wearing a nose stud.

Mr MEIER: No, I cannot see myself doing it either, to tell you the truth. The irony is that everyone wants to be different. We might see a group of youths in the street all dressed identically—with their designer jeans, shirt, jumper and shoes—and ask, 'Why don't they show some individuality?' Well, of course, they would not accept that they show individuality through their hairstyles. Probably all of us went through that stage, and maybe still show individuality through our hairstyles. In 50 years' time body piercing, although it is in the youth area now, may be practised in the adult population, although I hope, for the sake of society, that it is not. I have seen an example or two myself of young people below the age of 16 seeking to have ears—and I will use this as an example—pierced and the amount of infection that has occurred has been quite incredible. In one case it was undertaken by a person fully accredited to pierce ears, although I believe that that person had infections in the ear for the better part of six months. It caused an enormous problem.

If people choose to have some body piercing, that is their democratic right. I guess the positive thing is that, at least if they are embarrassed by what they did in their youth and take it out at a later time, the mark heals and will not show. But, let us make sure that we bring in controls and, whilst I appreciate what the member for Fisher is endeavouring to do, I believe that we can be tougher still than the measures provided in this legislation. Indeed, I will give some thought, as I believe my colleagues will, to making the legislation on body piercing even tougher so that it is very clear that society does not want body piercing on people below the age of 16 without parental permission.

We always come to the problem of parental permission and, without doubt, there are irresponsible parents in our society as well. I guess, in many cases, there will still be young people with excessive body piercing—some we will not even see if it is hidden by clothes—but there is not much that we as a government can do to force parents not to allow a child to undertake some course of action if it is felt within the family that that is right, as long as it is not causing a health problem to the child.

The situation is highlighted in society today through a comic strip that appears daily in *Advertiser* called *Zits*. Some weeks ago, the young lad in the comic strip, who I believe is portrayed as a 16 year old, with his mate, met a guy called Pierce. Pierce is probably the classic case of a young person in the *Zits* comic strip who has rings and studs and all the rest of it through just about every visible part of the body.

Perhaps it is showing something that is typical in the American society, because I believe it is an American cartoon strip, but certainly it is coming in more in Australia. One only has to observe young people, be it in the street or not even in the street. Let us go down this track of giving as much protection as we can to people under 16 years of age. If I had my way I would have increased the age a little higher, but I notice that 16 year olds seem to be more mature than 18 year olds of 20 or 30 years ago. This is a valuable step forward. I highlight again that it is possible that we may seek to amend it further to make the provision even tighter than it currently is. With that I reiterate my support for the Summary Offences (Piercing of Children) Amendment Bill.

Ms KEY secured the adjournment of the debate.

CONSTITUTION (PARLIAMENTARY TERMS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 March. Page 1094.)

Mr LEWIS (Hammond): I support the principle that is contained in the measure that has been introduced by the member for Mitchell. However, when we take it into committee it is my intention to amend clause 28(1)(a) so that the date for elections becomes the second Saturday in March rather than October. I do that because I believe that March is a far better time of the year in which to conduct an election than October. At that time of year, young people voting for the first time are very often in the lead-up to their final year exams in secondary school or, if they are not doing those tests, are wanting to ensure that at least they give their best shot to their studies at that time, whereas in March they have had the summer and they are in a less tense frame of mind and more likely therefore to be able to make a better informed decision. They will have more time to talk about it with their peers as well as anyone else, and perhaps they will even have acquired the habit of looking at the news and following current affairs during the summer vacation.

I am talking about not individual cases but the general disposition of society. For instance, in terms of marketing, if you have a completely new service to market—not one which competes with an existing service—or a new manufactured product which is indifferent in every other respect as to when it is launched, it is known that consumer confidence is much higher and therefore the response in the community will be better if it is done in March rather than in spring, March being our autumn. It is not something which would be generally applicable in other places on this planet, because they do not enjoy a Mediterranean climate. We have a very pleasant climate in March, particularly so here in South Australia, even more than in Tasmania, Victoria or Western Australia, because the density of our population is in what we call the settled areas between the latitudes of 28 and 38, in fact, if you

go to the member for Gordon's electorate. It provides everybody with the chance to do it.

The very fact that we choose that time of the year in which to engage in our major outdoor festivals is testimony to the remark that I am making about the desirability of holding the election at that time. We have the Festival of Arts in March, and Come Out, which is on at the present time, and we have festivals in the Barossa. Indeed, right across the state everybody recognises that that is a good time.

There is no great difference in the UV radiation levels in March as compared with October, so people who are out wanting to help in campaigning for one or other of the candidates are not likely to be more or less exposed to UV radiation. That is not a reason for shifting it from October to March, but there are much stronger winds and adverse and extreme weather conditions in the middle of October. The third Saturday is the one for which the honourable member has opted. There is a much higher risk of rain and strong winds at that time than there is at any time in the middle of March. Meteorological records will show that. Equally, in the run-up, the equinox winds of September and early October would simply result in more damage and less convenience to the people who want to participate in the campaign.

I make that point, because I think it is a good idea to encourage the general population to participate in the process of political debate during election campaign periods and to select a time when it is most likely that they will feel inclined to do that. The fact that the honourable member has chosen October indicates that he is aware of that, too, in some measure, but it will be even better for us if it is in March. There is only this one occasion upon which the term of the parliament might appear to be extended beyond the four years for which it has been here. However, the constitution allows us to do that in the way in which the amendments were drafted, giving us the law as it stands at the present time. I do not therefore have a problem with that.

This act does not override that likelihood when we pass the measure, as I am sure we will; we are sensible people, I trust. There is no advantage to the government in not passing it; but there is an advantage to the government in passing it. At present the government support is as low as it has ever been at any time in the last 20 or 30 years—

An honourable member interjecting:

Mr LEWIS: Yes; I think it will go lower, but that is by the by. Government members disagree with me, and that is why they sacked me from their midst. They believe that they can get it all back. The fact is that sacking me on 5 July did not result in any turn-around for the government: the opposite has occurred. Even though I have not had much to say during recent months, through the Christmas period and January—indeed, this year I have put out only a small number of news releases, less than the fingers on the left hand—the government's support in the wider community has fallen still further, because it does not understand what it is doing to the electorate. However, government members believe that the longer they have, the better chance they have of recovering their ground.

That would be true if they knew what to do, but the silly sods do not. They are clueless, and that is probably because they are more driven by the individual egos of those who lead them than they are by any rational insight and scientific understanding of psephology and the phenomenon of social cohesion that revolves around acceptable policies and the good reasons for them.

That is the reason why they are going down the gurgler and I could give, if time permitted, a gratuitous lecture on what idiots they are in the way they are proceeding, but they will not pay me for it and they will not thank me for it, so they can go to hell—and that is where they will end up sooner or later. In fact, the number of seats they lose will be less in October than in March probably. However, their belief is that the longer they have got the greater will be their chance of recovery.

In this instance I am saying March, not for any reason related to my view of whether or not the government can survive, but that it is the most sensible time of the year for South Australians to go to the polls, and it provides us all with the opportunity to get this bill debated, through the committee stages and into law so that the government's position is well-known and the will of the House is clearly understood. It is for that reason that I speak in favour of the measure. No government in this state in recent time has been able to obtain political advantage by calling an election earlier than would otherwise have been necessary. In fact, the opposite has occurred, notably amongst them was Des Corcoran in 1979.

Equally, no government should seek to exercise any such subjective esoteric advantage it thinks it can get, and no Premier ought to have the power. It ought to be set down in law and I think we can show the way: four year fixed terms is the way to go in modern democracy, in Westminster parliamentary systems, and other systems, too, probably. There is sufficient time to get it all done and not too much time to reduce the hope of changing a government if the government seems inept and incapable of providing what the public require.

Mr SCALZI (Hartley): I must admit that when the member for Mitchell first introduced this bill I was very much attracted to it and I told him that I would consider it because the push for certainty in politics and elections has a certain appeal. However, I have been reflecting on that and, given that the bill has been on the table for some months now, perhaps it does not give all the certainty that one thinks it would give when one first looks at this measure. The present system ensures, in a way, that there is some certainty, that we have a minimum three years and an election has to be called within three to four years. So many of the arguments which have been brought to this place from time to time about governments going to the polls just to seek advantage do not have the same currency they once had.

I have also been reflecting on other governments and democracies throughout the world that have fixed terms. One of the arguments for fixed terms is that you somehow reduce the song and dance aspects of elections and campaigning, and the great expenditure, but that does not seem to be the case in countries such as the United States which have fixed terms. Also, there is the argument that you will have fewer elections and therefore reduce the expense to the taxpayer. I am told by my colleagues who have been in this place for a little longer than I have that that has not been the case, that there have not been more elections than one would expect. Members would note that there is a move to extend it to March. We live in a federation in Australia. How does the timing of federal elections and state elections affect things such as the Festival of Arts? The member for Hammond went to great lengths talking about the weather and—

Mr Lewis interjecting:

Mr SCALZI: And other sociological phenomena he informs me. He has put all those aspects into it and he suggests that March is much better than October. I certainly agree with the Premier (Hon. John Olsen) that we certainly should not have an election before March next year and members opposite who are priming themselves up for an election before then perhaps should think again. But put—

Ms Key: Stop doorknocking!

Mr SCALZI: No, never stop doorknocking and never stop knocking the opposition—

An honourable member interjecting:

Mr SCALZI: Within reason and within the democratic process of civility towards one another. Putting jokes aside, this is serious and I do not think we know the full implications of having a fixed term of four years, for example, March every four years, and what impact it would have. Have we done a proper cost benefit analysis not only in economic terms but also on the effects? I fear that, instead of reducing the campaigning period, as one would hope this measure would do, there is the danger of having a lengthy campaign of 12 months. Surely, we would not want to inflict that on our constituents.

There is the aspect that governments need to get on with governing and, yes, some believe that fixed terms will give certainty in that governments know that they have a certain period and that they do not have to concentrate on the politics of elections. As I said, I do have reservations because it could lead to a prolonged election period, contrary to the intentions of the bill. That would be of no benefit to the government, the opposition and, most importantly, the public. I think this measure should be looked at more closely. I commend the member for Mitchell for introducing it—

Mr Hanna: Why don't you look at it closely and support it?

Mr SCALZI: It should be looked at and—

Mr Hanna: You are meant to be looking at it, that's what you are paid for.

Mr SCALZI: I have been very complimentary to the member for Mitchell and he is raising—

Mr Koutsantonis interjecting:

Mr SCALZI: The opposition amazes me. I remember when there were 36 members on this side of the House and members opposite accused the government of various things. At times there was some cause for members opposite to be gloating, although I must say that I was not one of the members who was accused. However, I believe that it is wrong for governments to gloat and to look at the opposition in that way because for democracy to work you need a government and you need a workable opposition.

However, for members opposite to gloat as though they are already on the Treasury benches is a real problem. The member for Peake should calm down, because nothing is certain in politics. Whilst the member for Peake and some others think that there is such a thing as a safe seat, I do not believe there is, and I never take my constituency for granted. At the end of the day, we are there because the people who vote for us want us to be there. At this stage of the political cycle members opposite should not gloat and think that somehow the winds of political change will blow them over to this side of the chamber. Mind you, you will need more than winds of political change to get across: you have to prove to the electorate that you are a worthy alternative government. You must have alternatives to government policies, and you must gain the confidence of members of the public such that they believe you will be able to do a better job than the people already in government. I do not think the member for Peake, although he is enthusiastic, quite understands that. Members opposite look at the member for Hartley and think that a .9 per cent margin is small.

Time expired.

Mr KOUTSANTONIS (Peake): The member for Hartley talked about the winds of political change, but it will be more like a hurricane sweeping through this House. Of course, he will not even notice the change, because it will be knocked out by 6.30 on election night. In relation to this bill, Premiers have long held the view that they have the right to choose when an election should be called, and under our current system that is true. But I will say this: we should have fixed dates for two very good reasons. First, it takes out of the hands of the politicians the political decision on when an election should be held; and, secondly, it gives business certainty as to when an election campaign will be conducted. The United States has fixed terms and fixed election dates, and that system works very well. The economists, industry, the stock market and families know exactly when the election will be held, and there is no speculation about when the Premier (in this case) will call the election, unlike the present situation here with everything grinding to a halt while the government decides the best timing for an election. All that will be eliminated.

It has a few bad points as well, because, if we know when the election will be held, the campaigning heats up in earnest at a certain stage before the election date, and it can also cause some uncertainty. However, in my opinion, it will take political opportunism out of the hands of the Premier—whatever persuasion the Premier may be, Labor or Liberal—and give some certainty to the outcome of the election. The important thing about election dates is that Premiers always think that they can choose the timing that will suit them best. The fact is, however, that Premiers often get it very wrong; for example, Jeff Kennett in Victoria called an election straight after the Grand Prix. Premiers may wish to wait for a football final or until after the Christmas festivities, but they always get it wrong. There is no great magic formula in choosing the time for an election campaign. Obviously, Premiers use timing of announcements—

Mr Conlon: They can wait but they can't.

Mr KOUTSANTONIS: That's right. They choose election dates based on when they have certain announcements coming up, whether it be the opening of a wine centre, Auditor-General's reports coming down, a royal commission into who shredded what, who knew what, who told the Premier what, when did the Premier know it and who told him, and so on. In the end, what will be good for South Australia is that everyone will know the date of the election, and it will bring some certainty back to the economy. Under our current climate this lot have lost the faith of the business community, of ordinary South Australians—

An honourable member interjecting:

Mr KOUTSANTONIS: They certainly do, boy! I can tell you that you are in a lot of trouble. Mr Speaker, he is already running around talking about his retirement. He is already setting himself up for his loss because he knows he cannot win. The only time he ever visits Bright is when he goes home!

An honourable member interjecting:

The SPEAKER: Order, the minister!

Mr KOUTSANTONIS: I understand he spends a lot of time in his electorate office.

An honourable member interjecting:

Mr KOUTSANTONIS: That's right. He will be beaten by Ron Baronian, but that is another issue altogether. It is better to let him know the date of his execution, the day he goes down, to put him out of his misery. Now he is unsure when it is. It might be March, October or December. He would be thinking, 'When do I plan my vacation?'

An honourable member interjecting:

Mr KOUTSANTONIS: The grieving process. We want to help him mourn, but the Premier will not do that for him; he is keeping it a secret. He does not want them all planning their holidays already, buying their boats or getting ready for their vacations and trips to Europe. They all know they are finished; they all know that they are gone. It is just a matter of timing; it is just a matter of when. The member for Bright would be the first cab off the rank, because there has never been a more lazy and arrogant member of parliament than the member for Bright. He comes in here and lectures us. He should speak to his own constituents and hear what they are saying about him, what they are saying in their replies to our surveys and to Ron Baronian when he doorknocks. You are first cab off the rank; your people are sick and tired of you. They want a date to go to the polling booth and vote you out of office, because you have let them down no end. Some members of parliament come in here and talk about financial accountability and saving money on paperclips. Talk about saving money, come estimates next year we will talk about saving money with you, boy.

Members interjecting:

The SPEAKER: Order! I suggest that members on my right cool it.

Mr KOUTSANTONIS: They're encouraging me, Mr Speaker, but I will return to the topic I am speaking about. The member for Mitchell has brought forward a very good proposal; it is eminently responsible, and the government should embrace it. I am not quite sure about forcing the current government to an election date, because the Premier was elected under an existing system, and he should be able to choose the timing of the election; it would be unfair for us to change that. If that is the will of the caucus, I will abide by that. However, my personal views are different. However, the government elected at the next election should have a fixed date. The people should know that a four-year term is indeed a four-year term, not four years and two days or four years and six months. It should not be a day past 11 October, because as soon as we pass October all members opposite are doing is racking up their pensions—which is the same accusation they made of the last Lynn Arnold government. Every day members opposite go past October, we will have a truck driving around Adelaide, with a big cash register going up and down showing exactly how much their pensions are increasing, because they are afraid to face the people. I ask all members to consider the member for Mitchell's proposal. It is a very good idea, and I support it.

Mr CONLON (Elder): Let us do something that is rare for some people in this chamber; let us be honest about this issue. I could not help but overhear the member for Hartley talking about not taking people for granted. He talked about the winds of change not being enough and about our having to listen to our electorate. Let me tell him about this issue: just go out there and talk to the business community.

The member for Bright is saying that the business community does not talk to Tom and that they do not talk to us. I have news for him. I have a very full book of appointments lately. The member for Hartley might hold out hopes that the winds are going to change dramatically, but I can tell you that the business community is seeking many and frequent appointments with the opposition at present. The one question that comes up over and over is, 'When will we have certainty again?' I can guarantee you this: they have utterly lost faith in this government and they say, 'When will the election be?'

If you go to the business community, if you go to those people whom you so often put up as the producers of wealth in this state, if you go to them from the top to the bottom and ask them whether they would prefer a fixed date for an election, fixed four year terms, certainty in going about their business, certainty in knowing when this dreadful government will finally come to an end, you will get a big tick. I can guarantee that. Go to the electors, the ones who you say are going to save you, Joe, because you listen to them. Perhaps you might listen to them on this. Go to the electors and ask them whether politicians should be able to manipulate election dates to suit themselves, to keep a state of uncertainty, to mislead people as to what the dates will be, and to do all of the things that occur. It is a temptation, and I do not aim it purely at the conservative side of the House. It is a temptation that is open to any government and it is a temptation to which they fall prey far too often. If you want to listen to your electors, Joe, go and ask them about that, and they will tell you. They want fixed four year terms. They do not want politicians manipulating the process to set dates to suit them.

The Hon. W.A. Matthew interjecting:

Mr CONLON: We have Wayne Matthew talking about an IQ—

The SPEAKER: I just remind members of the use of electorates in the House. There is a tendency to bring Christian names in, in throwaways across the chamber. It has to stop immediately.

Mr CONLON: The member for Bright is talking about IQ tests. Well, I have to share something with the member for Bright—merely holding the seat does not elevate him into that status. It would be a very fortunate thing if it did, and I have to say, having dealt with the member for Bright very often in this place, if he was half as clever as he thought he was he would still be twice as smart as he is. It will take him a while to work that one out—I give you a guarantee on that. Go to the electorate, go to the business community, and go to the political commentators, go everywhere you like and they will all say that they would like certainty in the political process.

It is a reform that has been adopted in a number of countries after having this sort of process. It is a reform adopted and it is a reform never gone back from because it is a progressive step. It is a good step for the business community. It is a good step for the electorate. There is only one small group in South Australia that does not want it, and they are the people who want the benefit of manipulating the timing. Unfortunately for them at the moment they cannot think of a good timing.

The Hon. W.A. Matthew interjecting:

The SPEAKER: The minister should just remain silent.

Mr CONLON: I did not notice him, Mr Speaker; it is all right. There is only one group in all of South Australia that does not see the sense in the certainty of fixed dates for elections and that is this mob who are desperately trying to work out a way of getting out of the enormous trouble they are in. That is not hyperbole. Walk the corridors and speak

to anyone around here and they are simply amazed at the level of trouble that this government finds itself in, on all fronts at all times. My mother has been a Labor voter all her life. She is now 76. She told me the other day she feels sorry for John Olsen. That is the state they have fallen into. It does not mean that she will be voting for him or any of his crew but she actually feels a little sympathy for him because things are going so badly.

The community should not suffer an election date chosen by a government in panic and desperation. It should have more certainty than that. The electorate wants it, the business community wants it, the political observers want it and the opinion leaders want it. The only people who do not want it are those in this desperate government who would like to be able to put off the election for about five years if they could. It is an eminently sensible bill. It is rare that we come into this place and do something that is unalloyed and unquestionably sensible. If the government opposes it, it will only do it for the most base and selfish motives.

Mr De LAINE secured the adjournment of the debate.

AUSTRALIAN ROAD RULES (SPEED LIMITS IN BUILT-UP AREAS) VARIATION BILL

Adjourned debate on second reading.

(Continued from 15 March. Page 1099.)

Mr HAMILTON-SMITH (Waite): I rise to commend the Hon. Mr Such who introduced this bill for his intentions in so doing. He clearly recognises, as I do, that there is a need in certain suburbs for lower speed limits in suburban streets. It is very clear. There is an element of people in our community who are driving irresponsibly, and there is a clear need for that to be changed. We need to take measures to slow them down and to protect children, families and the elderly. This issue will continue to focus our attention in the years ahead. However, I feel that the bill will not achieve the outcome that the honourable member intends and that it needs substantial amendment. Indeed, I look to the government at the end of the day to introduce some legislation of its own to address the issues raised by the honourable member in this bill.

In my constituency of Waite, which includes most of Mitcham and a good part of Unley, this issue is of considerable interest to all residents. I would like to overview the key points to the House because it is an issue upon which the community is divided. At present, we have a situation where we have 40 km/h speed limits in certain suburbs and in certain pockets within certain suburbs and 60 km/h speed limits elsewhere. We also have a range of speed limits around schools and other variations from place to place as you drive around Adelaide, based on arrangements that councils deem appropriate.

We need a simple system of speed limits which everyone can understand and which benefits everyone. We have a situation where certain pockets in Mitcham have 40 km/h speed zones and other parts of Mitcham have nothing at all. For example, we have a situation where residents of Angas Road enjoy 40 km/h speed zones and safer traffic, but residents in Grange Road, a short distance away, still have 60 km/h speed zones and families and elderly people living in that road have no protection.

The reason for this is quite simple. The Minister for Transport, and of course the government, and with that the community, does not want to impose upon buses a requirement to do 40 km/h as they travel through suburban streets. Roads which are bus routes or which are major feeder roads between significant arterial roads have remained posted at 60 km/h, yet these streets are residential streets. They have families, elderly people and vulnerable people living in homes as well.

The conclusion one can reach is that 40 km/h is an unacceptable limit for buses and for major feeder roads in the view of government, Transport SA and a lot of people within the community. That is why we now have a situation where some residents are quite upset and aggrieved that they do not have the benefits of lower speed limits while other residents, who are fortunate enough not to live on bus routes or major feeder roads, are enjoying reduced speed limits.

In that respect this issue is dividing the community. People feel upset. They want lower speed limits in suburban streets but they want an outcome that benefits everyone, not just a few. Therefore, one can conclude quickly that we need to consider compromises; that we need to look at a lower speed limit in suburban streets that will enable everyone to benefit.

That leads to the issue of whether or not 40 km/h was the right limit to set in the first instance. Some time ago the government agreed to allow Unley council to institute a city wide 40 km/h blanket speed zone within Unley Council's district. That is now seen as the benchmark. Mitcham and other councils have followed and said, 'Unley has 40 km/h. Why don't we have 40 km/h?' A lot of statistics have been thrown around about how the community supports 40 km/h compared with 60 km/h, some of which, in my view, is a little woolly in that in most cases people were not given the option of anything other than 40 km/h or 60 km/h. They were not given the option of, say, 50 km/h. They were asked, 'Do you prefer 40 km/h or 60 km/h?'

Similarly, not everyone responded to the surveys. The way in which some of the statistics and some of the information has been presented warrants fairly close scrutiny. Similarly, too, this whole issue of benefiting the whole community with a lower speed zone was not really picked up. I give credit to Unley council in that I think it, ahead of other councils, researched the issue thoroughly and carried the community with it to a large degree, and that 40 km/h in Unley's district with Unley's streets and Unley's circumstances does seem to work a little better than in some other council districts.

However, as a state government and as a parliament we ought to be giving consideration to what is in the best interests of everyone in the community of Adelaide and what will work in all suburbs. My view is that we ought to consider the issue of 50 km/h as a reasonable compromise between 40 km/h and 60 km/h, but apply it to all suburban streets so that all families and all elderly people can benefit.

The honourable member's bill seeks to take a move in that direction. However, the bill still leaves us with pockets of 40 km/h speed zones as well the 50 km/h speed zones that he applies, and also leaves us with 60 km/h speed zones; in other words, he does not rationalise the present situation.

I have raised this matter in the government party room on behalf of my constituents, and the matter has been referred to the Road Traffic Safety Committee, which has been undertaking an exhaustive review. I look forward to the outcome of that review. I hope that, as a consequence of that review and its recommendations, the government will take some action to sort out this silly situation.

The reality is that many people are quite irate about 40 km/h speed zones being applied in a blanket sense around the suburban area, particularly when they apply to wide

boulevard type streets where people, frankly, have difficulty travelling at 40 km/h and find themselves being booked for doing 50 km/h or 51 km/h on streets on which they feel quite safe and at speed levels that they feel are quite reasonable.

I note that the RAA and many experts in this field agree with my position that 40 km/h speed zones are not working; that people are only slowing down to 50 km/h; that 50 km/h seems to be the commonsense balance between amenity and safety; and that if only we could apply that to all suburban streets, including bus routes and major feeder roads, we might just have an outcome that gives everyone what they want: slower and safer speed limits in streets but a reasonable amenity and a minimum of inconvenience in terms of moving from A to B.

I am expecting that, at the end of this debate, the parliament and the government will conclude that applying 50 km/h speed zones to all suburban streets—or certainly those suburban streets in council districts that want to do so—will be the best outcome for the community of South Australia.

Debate adjourned.

INNOVATION STATEMENT

Mr HAMILTON-SMITH (Waite): I move:

That this House congratulates the federal government on its January 2001 innovation statement.

The federal government has shown fabulous leadership in providing almost $3 billion worth of funding through this statement to help our community transform into a new economy and an innovative society. The world is changing around us and, regrettably, many of us, in politics, in business and in the community at large, are not noticing the change. Technology has enabled industries to expand at a rate never before seen. Productivity in the 1990s, particularly since 1993, not only in Australia but in the global economy, has increased at a level that has confounded many commentators.

Without increases in labour and input costs, businesses and economies are producing more, and people are trying to understand why. The reason is that technology is enabling companies and nations to be more productive by doing things better. It is not just simply a matter of the internet, telecommunications, mobile telephones and the vast change that has occurred in recent years in our ability to communicate with each other nationally and globally. It is far more fundamental: a change is resulting from the way in which companies and communities are taking up this new technology and turning it into profits and benefits to the community.

All of this growth, productivity and benefit hinges on innovation. Innovation is the capital of tomorrow; it is the factor that will transform, and is transforming, state and national economies and the global economy. Innovation is the factor that will sit beside labour and capital as the world's new battery of the future. Now more than ever before a country's future, and the future of a state such as South Australia, hinges on its ability to innovate. That is not to say that our traditional industries are history; and that is not to say that our rural, manufacturing and traditional industries that have made this state and this country great no longer have a place—far from that. They form the foundation upon which we must build.

But the message we need to hear is that, unless we as a state government and the federal government ensure that our industries take up this new technology, unless our industries innovate and remain creative, and, indeed, seize and hold leadership nationally and globally in innovation, these old and traditional industries, upon which we have built our wealth, will be swamped by more competitive, innovative and globally energetic companies. We will be swept aside along with many of our industries, and we have already seen that.

We have seen our footwear, textile and clothing industries take a pounding in the past 10 to 15 years. Why has that happened? Because global competitors have been able to be more innovative; they have been able to cut the cost of production and they have competed more effectively with our products. Some of our companies, for example, in footwear, clothing and textiles—and I would give the example of R.M. Williams—have, through innovation and being smart, found ways to capture and retain niche markets in their industry and therefore remain ahead of the pack. Other industries, such as Clarks, have been swept aside.

The secret to success in this new global economy is innovation. You must be smarter, produce new and better products and remain ahead of your global competitors, and you must seize and occupy the ground of creativity and then protect that intellectual property. The way forward for South Australia and Australia is not to rely on having to export wheat and wool at a certain dollar amount and then import high technology products at 10 times that amount because we cannot produce those products here. We need to do both. If all we have is selling wheat and wool and we are not producing any communications equipment, software, high-tech computers and high-tech machinery, and if we are having to rely on importing all of that (and it is far more expensive), our balance of payments, our balance of trade, is out of whack.

That is not to say that we must not continue to grow our rural industries—we must. Mining and rural products, all of that, are vital to our future economic prosperity, but we cannot rely on that alone. We need to identify the fact that the economy has transformed; and we need to put a bigger investment into innovation and into producing the high value, high-tech goods of tomorrow which we are presently, in my view, importing far too heavily and not exporting. This $3 billion innovation package put forward, promoted and championed by our Prime Minister has reset the goalposts.

For example, with respect to education, $151 million has been allocated for 2 000 new university places per year; a $160 million boost to school maths and online services; and a loan scheme for postgraduate study. With respect to research, $736 million has been allocated to double research grants; $583 million to improve public research facilities; and new research centres for information technology and biotechnology. Biotechnology is one area in which Australia could potentially continue to capture world leadership—get right out in front of anyone else anywhere in the world and really set the pace. Other incentives in the package include $535 million to extend the R&D Start Scheme and new tax breaks for extra research and development. The package is showing to companies that they can benefit financially by investing in research and development, and there is easier immigration for IT specialists.

There are other incentives included in the package, particularly business initiatives: the R&D Start program, the aforementioned $535 million in new funding to maintain the grant program until 2006, primarily benefiting small to medium enterprises; pre-seed funding has been enhanced with $78.7 million over five years, beginning in July 2001, to 'address the gap' between scientific research and commercialisation of new technology earmarked for universities or

public sector research bodies, such as the CSIRO'; a biotechnology innovation fund of $40 million for biotechnology innovation funding for early stage biotechnology companies; a scheme called Comet which provides an additional $40 million over four years to commercialising emerging technologies within a broader program; an innovation access program with $100 million over five years to accelerate take-up of new technology from overseas; an ICT Centre for Excellence, with $129.5 million provided for a stand-alone centre. There are a range of other measures, thoroughly promulgated in the media on 30 January, and I can commend the *Financial Review* for a very good summation of what was provided and also the relevant government web sites.

This initiative gets the ball rolling, but we in South Australia need to do more and to go further. We need to seize this funding and apply it to our local economy. But we, as a state government, in my view, now need to produce an innovation statement of our own and we need to look at how we can invest in innovation. Because we have a lot going for us in this state. We have 40 per cent of Australia's defence industries, a burgeoning biotech sector, a vibrant university sector—which we as a state government should embrace even more closely—some very keen and energetic business entrepreneurs looking to seed and grow creative companies and make them prosper. We should not be looking back at our economy and saying, 'What has the South Australian economy been best at in the past?' We should not even look at what the South Australian economy is good at today. We need to ask, 'What must the South Australian economy be good at tomorrow, and how can we transform the successes of today and yesterday into the successes of tomorrow?'

We have had some absolutely fabulous successes. Our wine industry, certain agricultural industries and certain manufacturing industries are examples. But, because they are successful today will not necessarily mean that they will be successful tomorrow. Whether they are prepared to innovate and remain out front will make the difference. Innovation does not simply mean technology. Innovation does not mean software, it does not mean high-tech companies, it does not mean computers, it does not mean mobile phones.

Innovation can mean new ways of delivering services, for example in tourism, or, for example in professions, such as the legal profession or the accounting profession, etc. It can mean new ideas in the way we provide services. Innovation can also mean looking at how genetically modified crops can be used to our advantage. Innovation can mean looking at better ways to mine and better ways to add value to our agricultural and mining endeavours. Innovation is broad: innovation can be high-tech or it can simply be new ways of marketing and new ways of developing products and new ways of making what we have been doing better.

The idea that the world is divided into a new economy and an old economy is the wrong way to go. That is the wrong paradigm. The world is not divided into old and new. The world is transforming from what we have been doing into what we must do in order to succeed. Certain countries are absolutely rocketing forward. One of the reasons for the strength of the United States dollar and also the European currencies is their ability to innovate and to remain out front in product development. Countries like Australia, and states like South Australia, are at risk of being swamped. We have talked about brain drains; we have talked about capital flying offshore; we have talked about the Aussie dollar falling to record low levels because the country is perceived to be an old economy and is not changing enough to embrace new innovative ideas. These are all dangers.

The Prime Minister's innovation package has started the ball rolling in the right direction. He has taken the initiative and has said to Australia's universities and industries, 'We must innovate in order to succeed and to survive', and he is precisely right. As a state economy we have to go further and add value to the innovation initiative taken by our federal colleagues so that every branch of the Australian economy recognises that its survival and its growth hinge on its ability to think smarter and to think better, so that everyone recognises that we need to get right the marriage between our innovators, our universities, our incubators and our smart thinkers with business. We cannot simply have universities and ideas centres: it must be translated into jobs, exports and growth. This paradigm is the future for South Australia.

Time expired.

Mr De LAINE secured the adjournment of the debate.

WHEAT MARKETING

Mr VENNING (Schubert): I move:

That this House supports the Australian Wheat Board and Australian farmers in the retention of the current single desk marketing arrangements for Australian export wheat.

It is indeed a timely moment to be moving this because, right now, in the adjacent building is the South Australian Farmers Federation annual general meeting and this issue is paramount out on every grower's and every rural leader's lips about whether we can retain the Australian Wheat Board's right to collectively market our wheat.

Member interjecting:

Mr VENNING: I appreciate the fact that I am a wheat grower, one of only two or three in parliament. It has been a key industry for our state for many years and I think there is probably an imbalance: there probably ought to be at least half a dozen. I am pleased that this season we have had an excellent wheat harvest. Of course, the wine success goes on and, apart from good government, it is one of the reasons why our state is out-performing all others. However, back to the wheat industry.

The national competition policy committee recommends that we try partial dismantling of the single desk for the export wheat. Its purpose is to market durum wheat, as well as container and bag wheat, outside of this current single desk arrangement. Certainly, one wonders how the group, which was set up to come up with a report, comes up with a report like this. We have 95 per cent of the growers out there who are aghast at this recommendation. This is what we say is the thin edge of the wedge. It would completely undermine the single desk by encouraging myriad of groups to also call for special treatment.

I want to spell out for the House what 'single desk' means. It simply means that all Australian wheat that is exported has to be exported through one authority, and that is the Australian Wheat Board. Nobody else can buy it in an unprocessed form unless it is bought through the Australian Wheat Board. Collective marketing is a very effective tool that the Australian wheat grower has, against all these overseas countries where governments subsidise the product. Our growers do not expect help from the government. All they want is to be able to collectively market, a decision that should be theirs and theirs only. That is the way they choose to do it.

This report also fails to cater for those durum growers—durum is a variety of wheat which I grow—and there are many other growers—who wish to market their wheat through the single desk. The single desk has served us very well, as I have said, and it is the only weapon we have, that of collective marketing, against a corrupt world market—and that is what it is. Governments, particularly European and American governments, subsidise those sales against our Australian product, and our government does not give us anything. It never has and it never will. There has been no attempt to ascertain the level of support for this proposal amongst the durum growers; however, the committee is happy to propose that durum growers lose the security of the single desk.

I would like to know who is driving this agenda. Who is driving this change? It is easy to know who is driving it: it is the multinationals, the big marketing cartels behind the scenes—companies almost big enough to affect the whole Australian economy. They want to get rid of this collective marketing so they can come in and pick the eyes out of the market. What hope does the farmer have to protect the little that is left, when the national competition policy comes in and starts pulling apart that which has served our industry very well for decades? In fact, all my working life I often recall the days before we had orderly marketing such as this.

I have said previously in this place that we will return to the situation we had in the 1940s and 1950s, when farmers were just price takers on the day of their deliveries. What the national competition policy is proposing is nothing different from the situation that obtained 50 years ago. It is 'back to the future' thinking. They were terrible days, when the farmer would gather his crop in bags and take it on the truck or the trolley into the bag stacks, and he would not know until he got to the silo what the price was. There was a row of agents' huts there. You would go along and ask what the best price was for the sample. Often it was below the costs of production; you did not know. Fancy returning to those days! I cannot believe that we would even consider it.

Australian farmers cannot match the negotiation strength of the multinational food cartels. Most farmers who have tried the futures and put contracts—which is the modern way of selling things—often have lost or at best have only broken even. Those who have stood back and sold to the pool as they have always done have been the winners on almost every occasion. For the last harvest in 2000-01, again we saw that those farmers who stayed in the pools did better than those who tried the other options. We have been told by all these so-called gurus to take out put options and futures. We have done that. I have done that individually, and I must say that, as well as causing a lot of heartache, angst and anxiety, in the end if you did win it was by so little margin it was not worth the risk or the worry.

We have lost control to these huge multinational companies, whose influence spreads everywhere. Multinationals would love to see the single desk dismantled, or even partly dismantled, as in this recommendation, because they could come in and pick out the eyes of the market. By picking out the vital eyes of the market, the rest would crumble and they would get it at below cost of production prices.

Just yesterday at the South Australian Farmers annual meeting, which is right along side this place, I heard the President of the Grains Council of Australia say that the United States and the Europeans will not drop their subsidised sales against the Australian grains. We have heard all about these tariff agreements, the Uruguay round, GATT and the promise of the Europeans and Americans that they would plan the complete abolition of the subsidising of their markets, but I must say that that was nothing but hollow rhetoric. We know that the Europeans and Americans will not abandon their export enhancement programs (which is a flash way of saying that they are giving money to their farmers to sell below the cost of their production), and we cannot compete.

A lot of our markets are jeopardised and corrupted because the American and European growers can sell in there below our costs because they have government help. We are not asking our government for hand-outs like this: all the farmers of Australia are asking for is a fair go and to leave in place conditions which the farmers have put there and which have worked for years. Who are we to say this should be dismantled and leave them exposed to the people who manipulate the world markets? I think it is grossly unfair.

The only weapon that we have as farmers is to maximise our growers' opportunities by collectively marketing; that is, if you want to buy Australian wheat anywhere in the world, you have to go to the Australian Wheat Board and not approach by any back door method. In that way you will get a guaranteed quality at a guaranteed price—consistency right through.

A similar situation exists for barley, but it is more convoluted, because we do not have an Australian Barley Board that sells all Australia's barley.

The Hon. M.K. Brindal interjecting:

Mr VENNING: It should be, yes; the minister is dead right. We should have an Australian barley board that sells barley for all Australia, but a couple of states cannot bring themselves to join, particularly Western Australia, which believes it is better off on its own. Our current Australian Barley Board sells for only South Australia and Victoria. Exactly the same rules apply. The minister is very quick and quite adept at the subject, and I appreciate his interjection.

A system of picking and choosing between markets would be impossible to control and would inevitably lead to the complete breakdown of the statutory body which is the Australian Wheat Board. The cartels are putting enormous pressures on. They are trying their hardest to influence the government.

I know that Australia is a net exporter, and we had a discussion about that here a few moments ago. We always need to be mindful of our terms of trade, particularly when the Australian dollar is at its present level. It is certainly very attractive for our exports, and it is one of the good things seeing it so low, as long as you we not need to import any machinery or anything else, because then we certainly do pay.

Countries do control their own domestic economies and put in place controls to protect their own industries, particularly their vital industries such as the wheat industry is to Australia. You only have to look at the United States or European Union, where they have a history of heavily subsidising their producers: they even pay them some years not to produce at all, which is a total farce and a complete distortion of the market forces in the world food chain.

I am not advocating heavy subsidies here in Australia, because we have to be competitive, but I am saying that we should not purposely put Australian producers in a disadvantageous position of risk.

The minister's interjection a few moments ago triggered a thought pattern about why the Australian Barley Board is not included. The minister is dead right. I would be very pleased if the Australian Wheat Board changed its name to the Australian Grains Board and did the lot for everybody. I believe that if, say, the West Australian barley growers did not agree with that, okay, let them trade against the Australian Grains Board and they will soon work out that they will be coming second best. It is a good idea that—with the Australian Barley Board's Agreement, of course—we should allow the Australian Wheat Board to change its name to the Australian Grains Board and sell the lot over a single desk. That would include wheat, barley, legumes, oil seeds and the whole thing. The minister has triggered a flash of light, and I might float that idea to the conference later today if time permits me to get over there.

Let the rest of the world catch up to Australia in relation to reducing industry subsidies and tariffs. It was only a year or so ago that Mr Mark Vale, the past Minister for Transport and Regional Development and now the Minister for Trade in the Howard government, spoke along these lines. Let us focus on the producers of this country and look to help them, not hinder them. Australian farmers have resoundingly said they do not want to deregulate their export markets. They want the single desk to stay, and so do I. So, we wonder who is driving this agenda.

I am yet to be convinced about the deregulation of the dairy industry. We have a couple of dairy farmers in this place, particularly the Minister for Police, Correctional Services and Emergency Services. The dairy industry deregulation has caused a lot of heartache and placed much pressure on those who are already struggling in that industry. We need strong leadership in our grain industry. Where have all the leaders over the past few years gone? We have had some very prominent people in our industries, and they have been bought off by these large companies. They leave their jobs such as Chairman of the Wheat Board and Grains Research Development Unit and the National Farmers Federation and go into positions in these large companies. I get very cross about that.

We lose on both sides: not only do we lose our farming leaders but they go off to the opponents. The cartels have an overwhelming advantage when dealing with individual farmers. Farmers have appreciated the advantages of collectively marketing export wheat, so why the push for change? We all talk of supporting industry self-regulation, so why force some government initiative that opposes an industry that wants to self-regulate? In this instance, the Australian farmers want to self-regulate their own export marketing arrangements. In the end, it is all about quality of life. If we are not careful, the farmers who now produce a premium product will end up as mere servants to these huge multinational companies, which will dictate the terms and make it even harder for farmers to survive on the land. In fact, farmers will end up as contract growers to these companies which will control not only the price but eventually also the land the farmers own.

The minister raised the barley question and I want to raise it in this House too because, even though it is not included in this motion, it is appropriate that I do so. I am very concerned that our Victorian partners in the Australian Barley Board have chosen to lift the single desk on barley, yet the South Australian growers have not done so. I know that 99 per cent of the Victorian growers do not want that, so why is the Victorian government trying to lift the single desk? Again, it is flying in the face of the industry. The Victorian minister must know what the public is telling him, but once again he ignores it. I strongly support the Australian Wheat Board and the Australian farmers in their efforts to retain the single desk marketing arrangements, and I trust that the House will do the same. It is very timely for this House to support our farmers and show concern for their plight.

National competition policy was one of the reasons for the introduction of all this legislation. We now see politicians Australia wide in full reversal on this policy, which I remind the House was brought in under Labor. We need to show our farmers that we do care for them, and I urge the House to support this motion, protect the single desk and protect Australian farmers.

Mr WILLIAMS (MacKillop): I support the motion of the member for Schubert. It is very important that this House supports the single desk and the concept of the single desk in Australia. If we look at our position in the world trade market, we are mere babes in the woods when it comes to trading with some of the people with whom we deal overseas. One of the things that severely disadvantaged many primary producers not that many years ago was our live sheep export trade to the Middle East. We had a very viable trade. In my opinion, it was because of the people who were running the Australian end of the market and who managed to get a few things wrong in their dealings with the Saudis that South Australia lost hundreds of millions of dollars of export income.

The other classic example with regard to Australian trade—and it does not affect South Australia but certainly the eastern seaboard—is the coal trade with the Japanese steel mills and power generating companies. Look at the way in which the coal producers along the eastern seaboard have been picked off because they are dealing on a one to one basis with the major coal importers in Japan. Although I understand that they are expecting a price rise at about this time, the export price of Australian coal under the world market, which principally is the Japanese market, has plummeted over the last 15 years. This has led to the demise of quite a few mines and the loss of literally thousands of jobs in the coal mining industry on the eastern seaboard.

As exporters of grain we enjoy an incredibly high reputation in the world market for several reasons, not the least of which is that the quality of the product we supply is second to none anywhere in the world. Even though my electorate is not noted for being a large cereal growing region, the growing of cereal is becoming a lot more popular in my electorate; again since the demise of the wool industry, which was another marketing disaster. As I was saying, we supply incredibly high quality cereal—wheat, barley and other crops. However, I note the member for Schubert's comments about the Victorian barley producers moving away from a single desk position. I think that is most unfortunate. South Australia is a large part of the malting barley export industry, and hopefully we will be able to ride through that, and I will take advice from the member for Schubert, who is much more knowledgable about the matter than I.

Certainly with regard to wheat export, it would be absolutely crazy for this nation to move away from the single desk. The only people who are suggesting and pushing to do away with the single desk are the traders who see a quick profit in it for themselves. There is a handful of large producers who might have the marketing ability or the size

of production to trade as an individual on the world grain market—

The Hon. R.B. Such: Some ideologues.

Mr WILLIAMS: I do not know whether there are a lot of ideologues; I think most of the people involved in this see a quick buck in their own back pocket. They are quite willing to sacrifice the average grain producer in Australia for their own vested interests. That is the feeling that I get when I talk to grain producers and when I read the letters in the *Stock Journal* and the rural press in general. That is the reason why I wish to support the member's motion, and I urge the rest of the House to do so as vehemently as possible. It is in the interests of the whole grain industry of South Australia that we send a very loud and strong message to those who, through this change, I believe would wreak havoc on an industry which at the moment is enjoying relatively good times—that is, relative to recent times.

Last year, as we know, we had a record grain crop in South Australia and the prices were pretty good as well. At the moment the grain producers in South Australia are enjoying probably one of the best years they have had in a long time. Obviously the harvest is in and the returns from that harvest will flow through the Australian economy. If members visit country towns throughout the Mallee, the Mid North, Yorke Peninsula, Eyre Peninsula, and the South-East—

Mr Meier interjecting:

Mr WILLIAMS: I was going to say the flow-on. However, if members visit those country towns they will notice the number of new motor cars purchased from the local car dealers and the new whitegoods in houses. The whole economy in those country towns is going along very nicely, and of course the flow-on effect into the whole of the state's economy will occur as time progresses. There is a huge incentive for this state to ensure that the marketing of its major crops, in fact all its produce, is done in the best way and to the advantage of most of the people involved and the state in general. For that reason, I certainly commend the member's motion and ask the House to support it with the utmost vehemence.

Mr De LAINE secured the adjournment of the debate.

NANOTECHNOLOGY

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

That this House encourages the government to vigorously support research into nanotechnology and its commercial applications in health and non-health areas.

I am very passionate about this issue of nanotechnology and what it can offer this state not only in the research area but in respect of commercial applications in the future. I make no apology for being on this bandwagon, because Australia and South Australia in particular missed the boat in terms of the early development of information technology. As we know, the United States, through Silicon Valley, put a lot of research into that type of technology, and it certainly reaped the reward of that. We almost missed the boat in respect of biotechnology, but fortunately we managed to get in, largely on the coat-tails and with our fingernails. But we have the potential to do a lot in respect of biotechnology. I am pleased that we have some outstanding companies here that are developing and expanding in that respect.

In terms of nanotechnology—and I am not a scientist, and I do not profess to be—I point out, for the benefit of members, that 'nano' comes from the Greek word meaning dwarf. It refers to a nanometre which is 10^{-9} of a metre or one billionth of a metre. That is fairly small. They are the units of measurement of molecular dimensions. Nanotechnology is based on molecules, the basic building blocks of our existence, and it represents, in effect, the manipulation of those small particles. Until recently that was not something that was easy to do. It is not easy to do now, but with the use of a tunnel microscope and other technology we can manipulate the building blocks, those molecular arrangements, to create all sorts of fantastic and what would appear to be science fiction outcomes but, fortunately, they will become reality for us.

As I indicated, nature itself is based on forms of nanotechnology. The human cell is 0.01 of a millimetre in diameter. The DNA in its nucleus represents the entire human genome and if stretched out is two metres long. We cannot see it with the unaided eye, but it stores the complete blueprint for building a human. This illustrates just one example of the potential for human design nanotechnology—information storage and information processing on a massive scale with miniature devices. One example of this—and I will mention some others—is the miniaturisation through the construction of specially designed molecules as an electrical switch. These molecular switches would be a million times smaller than the switches currently contained in silicon chips. So we are talking about something very small indeed.

Without going too much into the technicalities, this would enable us to build molecular computers the size of a tear drop with greater computing power than any super computer on the earth at the moment. Members might think that is fanciful, but I will quote from a speech given by President Clinton in his State of the Union Address early last year:

> Soon researchers will bring us devices that can translate foreign languages as fast as you can talk, materials 10 times stronger than steel, at a fraction of the weight and—this is unbelievable to me—molecular computers the size of a tear drop with the power of today's fastest super computers.

This is not pie in the sky or science fiction; this is reality, and I want South Australia to be in it and at the forefront of it. Some of the other possibilities are: laptop computers of enormous speed and power, revolution in the speed and intelligence of telecommunications, robotics of extraordinary dexterity and sophistication, and medical implants of great sophistication. At this stage, we are roughly where biotechnology was in 1953 when in England Crick and Watson discovered the DNA double helix, which obviously has given rise to biotechnology. There is some work happening in Australia.

The Hon. M.K. Brindal interjecting:

The Hon. R.B. SUCH: It did in a way. Thank you, minister, for that profound reflection. Yes, without the double helix we would not be around. Research is being funded by the federal government in Sydney and in many of our universities. Importantly, it is happening in South Australia. By mentioning names one creates the sin of omission; but we have people such as Professor Stephen Lincoln, Department of Chemistry at the University of Adelaide; Dr Joseph Schapter at the Department of Chemistry at Flinders University; Professor Warren Lawrance, head of the School of Chemistry, Physics and Earth Sciences at Flinders University; Associate Professor Reg Cahill in the same school; Dr Mike Ford; and many others who are doing research in this field at

present. I want to commend them and the fact that Flinders University has introduced a bachelor's degree in nanotechnology, and the University of Adelaide is certainly offering teaching and conducting research in this field.

What is exciting is that the traditional boundaries of science become redundant when you look at nanotechnology, because to talk about physics as being separate from chemistry and biology becomes largely meaningless, so the boundaries of science will, in effect, disappear, and have disappeared at that level. What are some of the other things that could occur as a result of this? I have mentioned computer developments, and all this will result in the biggest revolution ever experienced by humans in the technological sense.

This technology is already resulting in people having restoration of their sight. That is being done in New York, with microcomputers putting images on to the retina. Professor Lincoln has indicated—and this is not fanciful—that within possibly 20 years it will be possible to create artificial spinal cord functions so that people with quadriplegia and paraplegia will gain movement again—something that is currently not possible. We will be able to insert micromachines inside the body which will monitor and adjust functions such as hormone levels. We will have micro-ear implants that are much smaller than the current cochlea implant. We will allow for a new style of electricity transmission, molecular transmission which is much more sophisticated and more efficient than the current transmission modes. We will be able to create other sophisticated medical implants and, as I mentioned earlier, highly complex and sophisticated robotics.

As I indicated, our universities are encouraging research. Clearly they need more support. The state government can only do a limited amount; the federal government will be the main source of funding. What I want us to do in South Australia, and I am particularly urging the state government to do it, is to work towards the commercialisation of this technology so that we are in on the ground floor and that we get the benefit as a community. It is not only in the health area, which is wonderful in terms of improving the quality of life, but also in the commercial applications as well.

I wrote to the Premier on 12 August 1999; I will not repeat all the letter because it says many of the things I have already stated, but it states, in part:

> I write to urge the government to move quickly to assist in the development of nanotechnology in this state.

Then I explain a little bit about what it is:

> Nanotechnology, or molecular manufacturing, involves building things one atom or molecule at a time. By manipulating atoms it is possible to produce a particular desired structure. A few years ago, this would have seemed like a mere dream but we can now realistically combine the research skills and methodology of the various science disciplines to create miniature devices with extraordinary properties.

Then I list some of the possibilities that I mentioned earlier. I point out that our universities are doing some research. We have a degree in nanotechnology. I conclude by saying:

> I am keen that South Australia becomes a frontrunner in the development of nanotechnology both at a research and in commercial application.

Then a copy of that letter went to all ministers. Basically I am pleading with the Government to make sure that this opportunity does not slip out of our hands. Whilst we have other issues clearly in front of us—the rail line is one, and the automotive industry another—this will be a fantastic technological revolution. Biotechnology is great and will be even more significant than it is now, but nanotechnology is really a further extension of that, and to think that people with quadriplegia and people who are blind can have those things corrected and be restored to a better standard of living is just fantastic.

The commercial applications in terms of robotics, and so on, are extraordinary for our industry and we should be in on the ground floor, promoting, assisting, encouraging and lobbying the federal government to make sure that we get special grants here so that we have centres of excellence in nanotechnology and so that the term 'nanotechnology' becomes just as much a part of everyday language as biotechnology is today.

I reiterate my plea to the Premier and the cabinet, and members of this parliament: let us not miss out, as we almost did in respect of biotechnology and as we did in relation to information technology. Let us make this a winner for South Australia, and in the process, a winner for humanity as well. I commend the motion to the House.

Mr HAMILTON-SMITH (Waite): I rise to support the member's very perceptive motion. I agree with the honourable member that nanotechnology offers an opportunity for South Australia to take world leadership in certain niche areas of that field. I agree with him also that it should be a focus area for government, and I particularly agree with him that the secret for success is to commercialise this intellectual property so that South Australian companies can grow it, benefit from it, create profits from it and create jobs as a consequence of it.

Some years ago, a company in Finland that produced light manufacturing goods and old technology products embraced the idea of mobile cellphone technology—the company's name is Nokia. Back in the late 1970s and early 1980s, that technology was very new and non-commercialised. That company has been able to grow itself into a globally dominant player and has prime position in the mobile cellphone market—and all that from a nation of only a few million people with a size, in terms of people and gross domestic product, not much greater than New South Wales. The myth that you have to be a big nation in order to be globally dominant in a particular field of technology is simply that, a myth.

The member has pointed out that nanotechnology is an emerging field. It is at its beginning and it offers enormous promise. States that are able to make the right investment at the right time in an emerging technology have been shown to be states that can seize global leadership in particular fields and grow that leadership into globally dominant market positions.

The key to this is not simply in promoting research in nanotechnology; it is not simply in supporting the universities in their endeavours and the individual academics who have developed expertise: it is in creating a marriage between those innovative efforts and the venture capital and entrepreneurial capabilities which can grow that technology into globally dominant commercial operations.

I support the member's motion. I think it is a field upon which the government and the opposition should be focusing. It provides a good example of a niche area which South Australia could seize and from which it could gain opportunity. I strongly commend the motion to the House.

Ms HURLEY secured the adjournment of the debate.

COUNCILS, INDEPENDENT REVIEW

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

That this House calls on the government to establish an independent review into the merits or otherwise of having fewer councils in the metropolitan area, including the possibility of having only one council, and in the event of a recommendation to retain the current 19 councils, how they can be made more efficient and effective in meeting the needs of the ratepayers.

I am proud to say that I have been a member of a council. I do not believe we should resile from considering what are tough issues—and this is indeed a tough issue. I do not want to be seen to be picking on local government. I would be happy if we could look at all levels of government and sort out some of the current responsibilities and roles. That means looking at what federal, state and local government does and looking at them all in a package, although I realise that you cannot do everything in one particular initiative.

This motion focuses on the issue of the metropolitan area. We currently have 19 councils from Gawler to Port Noarlunga. I have called for a review. It may be that the review suggests we keep that number, and that is fine. The status quo always has to be an option; status quo in terms of the number but then a focus on efficiency and effectiveness. In the community there has been a significant change, even in the past two years, in attitude towards local government. I think the community now is expecting more from local government, yet local government in many areas is having trouble in delivering what the people expect.

We have a variation in the services offered by councils in the metropolitan area. We have different approaches to libraries; open space; trees; dogs and cats; building; planning approvals; funding of the emergency services—and we know the state government is now more heavily involved in that; road maintenance; parks and gardens, rubbish removal; and recycling. We have variations and different costings because of drainage problems; the provision of surf lifesaving facilities, which is a concern for beach councils; and the situation involving Adelaide City Council and the parklands. One can list a whole range of variations. There is nothing evil or wrong about that necessarily, but when you combine it with different speed limits in residential areas and different rating policies it makes it hard for investors and for people who want to help the progress of our city.

I believe that one problem involving our arrangement of councils is that the CBD, which is sustained by people who live in both the metropolitan and country areas, the people who sustain it in the main, do not have any say in the running of it. I know there is a joint group with the state government, but that is no substitute for direct democratic input. I do not want to reflect on the small group running the city council but their existence depends on the support and sustenance of people from the metropolitan and country areas. The vast majority of those people have no effective say in the initiation and determination of policies in the business area of Adelaide, the CBD.

I believe there is justification and a need to look at this with an open mind. I do not believe the previous review was able to do its job. Some councils played games and deliberately hindered the process. They did not want to amalgamate or get into any association with anyone else. We are seeing now many more council chambers being built at great expense and work depots being duplicated within the space of a few kilometres—and so it goes on.

I am seeking to establish an independent group to look at the issue, including the status quo, because I think the mood in the community favours this. I believe that business would like to see a review because it is very difficult for many people who want to grow the community to actually get things done; they have to deal with a plethora of councils in the metropolitan area. I believe we could look at it in terms of cost benefit and social benefit, as well as the disbenefits; and the committee, the independent group, could make recommendations for the government of the day and the parliament to deal with.

Debate adjourned.

[Sitting suspended from 1 to 2 p.m.]

PROSTITUTION

A petition signed by 133 residents of South Australia, requesting that the House strengthen the law in relation to prostitution and ban prostitution related advertising, was presented by the Hon. D.C. Kotz.

Petition received.

WANGANEEN, Mr G.

A petition signed by 335 residents of South Australia, requesting that the House urge the government to establish an inquiry into the death of Grant Wanganeen and review police training, was presented by Ms Bedford.

Petition received.

COFFIN BAY

A petition signed by 270 residents of South Australia, requesting that the House ensure that a fire break is constructed in the national park on the eastern side of Coffin Bay, was presented by Ms Penfold.

Petition received.

QUESTION TIME

AUTOMOTIVE INDUSTRY

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. In the light of the great importance to the South Australian economy of a strong future and expansion of Mitsubishi's assembly and manufacturing plants, and of reports today that the company's Tokyo parent will soon be making a decision on the future of the Mitsubishi plants in Adelaide, will the Premier now support my call for a review of the industry before any further tariff cuts, currently scheduled for 2005?

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: That is outrageous. Members opposite should understand the importance of Mitsubishi. The honourable member is a member in an area that represents those workers.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The leader will get on with his question and the ministers will remain silent.

The Hon. M.D. RANN: On 2 May 2000 I asked the Premier whether he would join me in supporting a review of

the impact of tariff cuts before the Howard government proceeds with its planned automatic cut to 10 per cent in 2005. Today, on Adelaide radio, federal industry minister Senator Minchin said that the Howard government still planned to cut tariffs in 2005 under its automatic formula. Labor's state and national policy is that no further tariff cuts should be considered until after a comprehensive review of the industry has assessed whether any such changes would be in the national interest; in other words, a review of the impact of tariff cuts before any further tariff cuts are made.

The SPEAKER: Order! The leader will resume his seat. The leader is now commenting and he knows it. The Premier.

The Hon. J.W. OLSEN (Premier): First, I indicate to the House that the reports from Tokyo are misleading. Mitsubishi Motors Australia Limited is continuing to work towards achieving profitability in 2001 to ensure the long- term future of Mitsubishi in South Australia and, certainly, of the approximately 3 500 work force directly affected and the thousands indirectly who rely upon Mitsubishi Motors' production line in South Australia. In this morning's *Advertiser*, Managing Director Tom Phillips says that the company is ahead of budget for a return to profit this year.

I commend Tom Phillips for the way in which he is tackling the task, both in a profile for the company within Australia and certainly for the way in which he has motivated the work force and given a focus for the work force at Tonsley Park. Mr Phillips also revealed in this morning's *Advertiser*, at the opening of the Adelaide Motor Show, plans to make a $100 million investment in a dramatically revised version of the Magna Verada range for release in about 2003.

Details of the $20 million loan offered by the South Australian government to Mitsubishi are being finalised with the aim of signing the deal formally within the next two to three weeks. I am in receipt of correspondence from the Managing Director, Tom Phillips, accepting the South Australian government's offer of support.

I can confirm to the House today that I have had advice from Mitsubishi in Adelaide that, in fact, contrary to the reports this morning on the ABC, with the support of the government, Mitsubishi Motors Australia Ltd is set to become a significantly greater force in the Australian automotive industry. The federal government, through the Australian ambassador in Tokyo, has been having ongoing discussions with Mitsubishi about the prospects of federal assistance. I understand that Mitsubishi has made no specific request of the commonwealth to date.

Discussions have centred on ensuring that Mitsubishi has a clear understanding of how federal assistance packages, in particular the new $2 billion automotive, competitive and investment scheme, can assist them in becoming internationally competitive by rewarding strategic investment in research and development in the Adelaide facility.

No offer to review the tariff regime has been made by the federal government, nor had Mitsubishi sought that from the federal government. Mitsubishi had given assurances that it will approach the commonwealth and South Australian governments to discuss its options before making any decisions about the future of the Adelaide plants.

In my discussions with the senior executives only two months ago, approximately, they gave a commitment and an undertaking that, prior to making final decisions, they would have further discussions with both me and the federal government. They asked me to raise with the federal government the issue of the plant and their investment. I have done that with the federal minister, Senator Minchin, and it is my view that that may well have prompted Senator Minchin to arrange for the ambassador in Tokyo to visit Mitsubishi based in Tokyo for the opening up of exploratory talks and discussions.

We have always been advised that the timetable for this decision on the reinvestment program would be about May or June. I think it is encouraging that Mr Phillips has advised me that they will be accepting the South Australian government's offer and, as I mentioned, we will now work through the next two or three days to sign off the agreement. I think that moving to accept the South Australian government's offer is a very clear indication that their proposal is—excuse the pun in the current debate—on track in terms of meeting their objectives of profitability over 2001 and the reinvestment that will secure the jobs.

Part of the emphasis that we made to Mitsubishi is that our support for the company is about having longevity of production and manufacturing jobs in this state, and our assistance will be targeted to underpin the incentive for longevity for their operations in South Australia. We seek to protect the jobs of the workers at Mitsubishi and those associated with Mitsubishi Motors Australia Ltd.

ALICE SPRINGS TO DARWIN RAILWAY

The Hon. G.M. GUNN (Stuart): Can the Premier outline to the House the benefits to South Australian companies as a result of the finalisation of negotiations for the construction of the Adelaide to Darwin railway line and, in particular, the benefit to companies in the Iron Triangle of South Australia?

Members interjecting:

The SPEAKER: Order, the Leader of the Opposition!

The Hon. M.D. Rann interjecting:

The SPEAKER: I call the Leader of the Opposition to order and remind him about shouting down the chair.

The Hon. J.W. OLSEN (Premier): This is a project for all South Australians, and indeed it goes beyond that: this is an important project for Australia. From the outset my focus and that of the government has been on maximising the benefits of this project for South Australia, during not only the construction phase but also the operational phase. That means jobs and economic development, and we will all benefit from that. The government took the deliberate decision to establish the Partners in Rail group more than a year ago to ensure that South Australian businesses were best placed to bid for the rail projects and contracts that would be let. Well, the past few weeks have been frustrating and, can I say, on occasions, exhausting—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: —and indeed doing so—at times. We are now at the stage where the real, tangible benefits can flow as a result of the finances being put in place and the green light being given for the consortium to move to financial close and then into the construction phase of this project.

More than $240 million worth of rail contracts will be awarded to South Australian based companies upon financial close and, one therefore anticipates, within the next few weeks. About 1 321 companies have registered an interest in supplying the goods and services part of the rail contracts. Of these, 1 004 are from South Australia and 193 are from the upper Spencer Gulf region of our state. This demonstrates the level of interest of small and medium business and the level of keen interest in the upper Spencer gulf region. Also, almost 2 000 individuals have expressed an interest in being

involved in the construction phase of this project. They are now registered on a database, which the Partners in Rail will now make available to those who will undertake construction on the site. In addition, construction will provide up to 2 000 jobs to build the line, and some 5 000 jobs will be involved indirectly in supplying a range of goods and services for the lines; that is, the supply of materials.

Public interest in the rail project also continues, with more than 24 000 hits on the Partners in Rail web site. When you think about that, 24 000 hits to the web site clearly underscores the level of interest in the project among the broader community. This rail line project has captured the imagination of not only South Australians but many other people in Australia.

I think it is appropriate to repeat some interesting statistics about this project today. About 150 000 tonnes of steel will be used; some 2 million concrete sleepers will be laid; and 7.8 million steel clips are to be made for the rail link. Freight trains of up to 1.8 kilometres in length will carry up to 300 double stacked containers to the port of Darwin with destinations through Asia. That is part of the business plan and proposal upon which a range of financial institutions and credit committees for those financial institutions have signed off in excess of some $700 million for the project.

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: And I acknowledge the support of this House—the leader wants it—in ensuring that the financial package was in place. So, the green light is there for the consortium now to proceed to financial close and start construction. Of course, tremendous opportunities exist for our regions. Whyalla and Port Augusta in particular will be major beneficiaries of this line, not only for the construction phase but also after that during the operational period.

I also indicate to the House today that we will conduct a series of workshops throughout regional South Australia, which will include the South-East, the Riverland, the Upper Spencer Gulf and Eyre Peninsula. That will be for the purposes of identifying how those regions in the state can benefit from this project, and I hope to be in a position to announce some key infrastructure projects for the regions related to the railway in the next few weeks and months. Financial close between the parties involved in the project is expected within the next year. Our advice has it that—

Mr Lewis: You said that drop-dead day was tomorrow.

The Hon. J.W. OLSEN: The documentation will take approximately a week to sign. We are advised that the signing will start tomorrow, but the documentation is of such complexity that, due to the number of different parties involved, shifting the papers to where the parties are so that they can sign the documents and returning them to a principal source will take something like a week to conclude, but the start will be within the next day or so.

From construction to completion and beyond, South Australians will reap economic benefit from this rail project not witnessed for many years. Australia has not seen a project of this magnitude since the Snowy scheme some 50 years ago. This state has not seen a project of this nature with this capital expense other than Olympic Dam. Therefore, that underscores the importance and the significance of this project for our economy, our jobs and certainly our future. I again thank the House for its support in ensuring that this measure was put beyond doubt and the financial arrangements in place. This is the beginning of a legacy for generations to come.

LE MANS RACE

Mr FOLEY (Hart): My question is directed to the Minister for Tourism. On the night before the Premier announced the cancellation of the Le Mans car race, did the Minister for Tourism tell the Panoz Motorsport Managing Director, Mr Dean Rainsford, that she had prepared a speech for the Premier to be delivered by him the following day on Friday 23 February at which he (the Premier) would publicly announce a joint Le Mans Clipsal 500 car race, together with a major motor show that would make the overall event a festival of motoring?

Mr Dean Rainsford, the Managing Director of Le Mans Motorsport group told the Economic and Finance Committee yesterday that the Minister for Tourism had told him that she had prepared a speech for the Premier and that she needed Mr Panoz's approval for this proposal. Mr Rainsford said:

> She also told me that the Premier liked the idea of joining the races together. There was no mention of any announcement planned by her or the Premier for the following day.

The Hon. J. HALL (Minister for Tourism): I am somewhat surprised at the question, although last night I did hear the member for Hart say that he did have a brilliant mind and it was all hanging in there, so perhaps this is what comes from a brilliant mind. As with many ministers, I suspect the Premier gets lots of gratuitous advice on what he should say or should not say in speeches, and sometimes he probably chooses to use our advice and other times I suspect he probably chooses to discard it. However, I would point out that the speech that the Premier gave on the Friday that we are talking about was to a packed audience (about 500 people or so) and it was a pretty impressive speech. The underlying theme of the speech was the impressive achievements of this government: it outlined all of the economic support, the challenges and the directions of the future.

I am amazed that the member for Hart is still trying to cause political mischief and it is utterly unreasonable that he is going down this track. Panoz Motorsport is still trying to have a race in Australia this year and the honourable member should be trying to assist that not hindering it.

Members interjecting:

The SPEAKER: Order!

MURRAY-DARLING BASIN MINISTERIAL COUNCIL

Mr VENNING (Schubert): Will the Minister for Water Resources outline what the—

Members interjecting:

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

Mr VENNING: Thank you, Mr Speaker. Will the Minister for Water Resources outline what the key agenda items will be at tomorrow's Murray-Darling Basin Ministerial Council?

Members interjecting:

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank the member for Hammond for offering to keep time. I also thank the member for his question and my colleagues for the help that they have given us this week in preparing for the ministerial council on the Murray-Darling. Everyone on our side of the House is concerned for the Murray River, and in particular for the ministerial council meeting which will commence in Sydney tomorrow.

Mr Clarke: So are we.

The Hon. M.K. BRINDAL: The member for Ross Smith says, 'So are we,' and I am grateful. For the three days of this sitting week, I have implored members opposite to exert their best endeavours to speak to their counterparts in Queensland. So far, my intelligence informs me that there have been no phone calls from the Labor Party to the Premier of Queensland, and we need Queensland—

Members interjecting:

The Hon. M.K. BRINDAL: Who made them, and who to?

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. I call the House to order. I know we had a very late night. I would just like to recall that as we go through question time this afternoon. Let us have some silence and let people be heard.

An honourable member interjecting:

The Hon. M.K. BRINDAL: I hope I can come into the House on the next sitting day and announce that I was wrong, because we have bipartisan support and because the Labor Party played a part in convincing Queensland to sign on for the cap. I would like nothing more. We cannot expect neighbouring states to play their part in trying to improve the condition of the Murray, in trying to accede to a cap, when, straight to their north in the case of New South Wales, they can see a state which simply will not sign the cap and which simply has no regard for the downstream irrigators and users.

New South Wales is a Labor state. It has exceeded the cap, and that is something that does not please anyone. However, at least they have put a cap in place, and at least they are trying. It must be very difficult for the Labor minister in New South Wales to say to his irrigators, 'Be more responsible,' when all they have to do is look north and see a state where no level of responsibility is being exercised. Again, I ask Labor members opposite in the few hours that are left to ring their counterparts in Queensland and to exercise some bipartisanship in an attempt—

Members interjecting:

The Hon. M.K. BRINDAL: I heard the member for Ross Smith this morning giving a very interesting elucidation of what happened in caucus the other day. It was most unusual and most enlightening. I note that he had two bob each way on his speech last night. His attitude was, 'On the one hand I will support the party, but on the other hand I will make a speech to excuse myself.' Nevertheless, I will take the point.

The salinity strategies are on the agenda tomorrow. As the Premier has constantly said, they are vital to this state. With the forthcoming NAP, they will be crucial for the ongoing survival of the river. The budget of the Murray-Darling commission also has to be set for the next financial year and, under two cost sharing proposals being proposed for the ministerial council, South Australia has been asked to contribute between $10 and $16 million for salt interception schemes over the next seven year period.

The ministerial council has also been asked to endorse an integrated catchment management policy statement to guide all future natural resource management activities of the MDBC. The principles of this policy, I am pleased to inform the House, are aligned to the underpinning draft of the South Australian Integrated Natural Resources Management Bill, which has been presented for our consideration, and which represents the combined efforts of a number of ministries.

Finally, the ministerial council will be asked to consider a report on the environmental flows and the quality water objectives of the River Murray. South Australia has strongly opposed the view taken by some other states that extra environmental flows are not needed for this state. South Australia strongly argues that additional river flows, plus improved management of flows and changed operation of the regulating structures, are essential to improve the environmental flows and to provide a lifeline for our ailing Murray. Indeed, Senator Hill has written to the MDBC voicing his concern that none of the options in the draft stage 1 report provide any significant benefits for South Australia or, in particular, to the Coorong-Murray Mouth area. So, indeed, it will be an important meeting in Sydney tomorrow. I know that South Australia will be in there fighting for this state. I hope that those opposite will do so as well.

LE MANS RACE

Mr FOLEY (Hart): My question is again directed to the Minister for Tourism. Given that the parliament's Economic and Finance Committee was told in evidence yesterday by Panoz Motorsport's Managing Director, Mr Dean Rainsford, that the government has yet to officially cancel the 2001 Le Mans car race, is the government still considering staging this race to avoid potential legal action by Mr Panoz? I was contacted last night by Mr Don Panoz in Sydney, who told me that, as far as he was concerned, he had an agreement with the government that met all the cabinet requirements to stage the 2001 race. He said he believed that the government was required to either meet its obligations or face the possibility of legal action by Mr Panoz to recover multi million dollar damages. He also told me that the government still had not officially advised him that the race had been cancelled.

The Hon. J. HALL (Minister for Tourism): I find the member for Hart's questions just amazing. In the House several weeks ago, I made very clear the sequence of events leading up to the announcement that we were not proceeding to take up our option this year to stage the race.

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

The Hon. J. HALL: The statement that I made to the House I stand by absolutely. The member for Hart knows that discussions were taking place about a potential option in the future but, as he well knows, you do not conduct those negotiations in public, and—

Mr Foley: You haven't spoken to—

The SPEAKER: Order, the member for Hart! I caution the member for Hart. He will end up being warned very shortly, and he knows the consequences.

The Hon. J. HALL: What the member for Hart has just said is wrong, and he knows it: so does Mr Panoz. Just in passing, the day I made my ministerial statement to this House, within half an hour of my leaving the chamber I sent a note and a copy of the speech around to Mr Rainsford.

HEALTH SERVICES

Mr CONDOUS (Colton): Will the Minister for Human Services outline to the House how the government is addressing the issue of quality in the provision of health services?

The Hon. DEAN BROWN (Minister for Human Services): We have established across the whole of Australia

a new drive to make sure that we lift the quality of health care within Australia, because a survey has shown that something like 1.7 million bed days in the public hospital system in Australia are taken up with inappropriate practice or poor quality within the health care system. So, a National Expert Advisory Group on Safety and Quality in Australian Health Care has been established. It is a joint effort between the state, territory and federal governments, and is chaired by Professor Geoffrey Barraclough. South Australia is extremely well represented on that council by Professor Paddy Phillips, Professor Brendon Kearney, Associate Professor Kaye Challinger and Professor Bill Runciman.

Here in South Australia we have set up a South Australian Quality and Safety Council which will work in very close cooperation with the national council. The aim is that across the whole of Australia, in both the public and private sectors, we will have a major thrust to identify where mistakes occur in the health care system, to look at the underlying reasons for those mistakes and to take appropriate action. All this is part of ensuring that we have proper investigation of any breakdown or mistake that occurs.

The South Australian thrust, I think, needs to be seen in a number of different areas: first, to work with the medical profession, in particular, to identify where the mistakes may occur; secondly, to put into place appropriate systems within the hospital; and, thirdly, to ensure that we have an appropriate means of investigating where mistakes occur. Today I will be introducing into the parliament the Health Complaints Commission Bill which allows investigations to be carried out in both the public and private sectors. It is a very significant new step here in South Australia. It takes the powers of the Ombudsman and widens those powers to apply not only to the public sector but also to the private sector.

The Health Complaints Commission will have very broad powers. Very importantly, we want speedy, effective investigation of any appropriate complaint that may occur so that we can identify what the causes might be and take appropriate action. I know at times members have raised specific complaints within this parliament and I have acted on those complaints. For instance, it has been interesting to see that we went into Modbury with a specialist who looked at the system and to see how, as a result of that, practices have improved quite dramatically.

The health system itself wants to learn from its mistakes and it wants to put in place better systems. State, territory and federal governments have committed $50 million over five years and this year alone we are spending $5 million as part of this thrust to improve the quality and to reduce the mistakes in health care within Australia. Many of those mistakes may be, for instance, inappropriate administration of drugs or inappropriate prescription of the drugs originally. A person may get an adverse reaction between a number of the drugs that they are taking; in another case it may be a patient identification mistake; and in other cases it may be there was a breakdown of the systems involved. I am pleased that, with the introduction of this legislation later this afternoon, we will take a further step forward in what is a major thrust to improve the quality of our hospital system here in South Australia.

LE MANS RACE

Mr FOLEY (Hart): Has the Minister for Tourism sought Crown Law legal advice on the possible legal exposure that the government may have created with the announcement of the cancellation of the 2001 Le Mans race, and has there been a calculation of the extent of the potential multimillion dollar liability to the taxpayer that could be incurred as a result of this action?

The Hon. M.K. Brindal interjecting:

The SPEAKER: Order!

Mr FOLEY: The Panoz Motorsport legal adviser—

The Hon. G.A. Ingerson interjecting:

The SPEAKER: Order, the member for Bragg!

Mr FOLEY: The Panoz Motorsport legal adviser, Mr Chris Wellington, told the Economic and Finance Committee yesterday that the group was considering three possible courses of legal action against the government should the race not go ahead later this year, including the possibility of a breach of agreement, negligent misstatement, or equitable misconduct that would result in equitable damages.

The Hon. J. HALL (Minister for Tourism): First, I do not answer hypothetical questions. As far as I am aware, no legal action has been initiated. I am just amazed at this unctuous nonsense that the member for Hart is carrying on with. The political spin that the honourable member is trying to put on this is quite extraordinary. I refer the honourable member to the statement that I made several weeks ago in which matters were clearly outlined. I am not responsible for what Mr Rainsford says in the committee; I am not responsible for what his legal advisers say to the committee; and I do not know the detail or the spin that the honourable member is putting on the questions that he is asking in this House.

TECHNOLOGY PRODUCTIVITY AWARDS

Mr SCALZI (Hartley): Will the Minister for Government Enterprises advise the House of the government's success at the 14th Government Technology Productivity Awards?

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I thank the member for Hartley for a question which enables me to extol the virtues of how well the government is doing, this fact having been acknowledged by external sources at the 14th Government Technology Productivity Awards. It is a fact that the South Australian government scooped the awards announced on 27 March (last night) in, I believe, Canberra. Of all the state and territory governments, South Australia was the best performed. The awards are a tribute not only to the policies of the government—

The SPEAKER: Order! There is a point of order. The minister will resume his seat.

Mr CLARKE: I refer to Erskine May, which states:

> Questions requiring information set forth in accessible documents have not been allowed when the member concerned could have obtained the information of his own accord without difficulty.

The minister has said that the awards were publicly announced. We scooped the pool a day or two ago. The member obviously can find that information for himself.

The SPEAKER: There is no point of order at all.

The Hon. M.H. ARMITAGE: I would like to congratulate not only my ministerial colleagues but also the public servants who have been clearly at the forefront of innovation with their great desire to adopt technology to improve the delivery of government services in South Australia. It does, indeed, underline that we are delivering the future—one of the subtexts of our IE2002 documents.

There were a number of particularly notable award winners. I congratulate my colleague the Minister for Human Services and his department for winning a gold award for the department's Knowledge Management Program and, in addition, a silver medal for the deployment of Network Computers.

I congratulate my colleague the Minister for Education and Children's Services and his department because they won gold for the 'sa.edu' project which, of course, is such a world leader and which is allowing the delivery of excellent education services throughout South Australia. I congratulate my colleague in another place, the Minister for Industry and Trade, and his department for winning silver for the Bizgate web site. Further, I congratulate another colleague in the other place, the Minister for Information Services and my department's Chief Executive, Graham Foreman, for their absolutely sterling efforts in improving a delivery of—

An honourable member interjecting:

The Hon. M.H. ARMITAGE: Sterling silver, sorry. Someone got the pun; that is great.

An honourable member interjecting:

The Hon. M.H. ARMITAGE: Yes, I thought it was far too quick for anyone. I congratulate the Minister for Information Services and my Chief Executive, Mr Graham Foreman, for their efforts in improving SA Central, such that they won a silver award. I think that it does mean that South Australians can be aware that we are at the cutting edge. We have a very clever and innovative Public Service, which is delivering services efficiently and innovatively. But, that is not where we intend to stop. Obviously, our businesses in the private sector are supporting our goals through the industry action plans as one of the 21 initiatives in IE2002.

Our innovative service delivery will be further enhanced by ServiceSA and our Networks for You internet awareness program, with more than 150 centres spread throughout the country, where it has been very successful. It identifies that South Australians will be net illiterate only by choice, because these services are provided free in the country, because businesses are getting online with the industry action plans, because our public service is providing—

Mr Foley interjecting:

The Hon. M.H. ARMITAGE: Illiterate by choice. We cannot force people to be net literate.

Mr Foley: Are you going to provide money to buy a computer?

The Hon. M.H. ARMITAGE: No, we are providing the services free. Maybe the member for Hart should listen instead of reading the *Financial Review*. The facts about Networks for You are these: we have a number of services in regional development boards, in school and community libraries, in local government offices and so on, and we are providing free awareness training for people in rural industries on how to use the internet, which has been extraordinarily successful. So, as I say, the broad spectrum of South Australians need only be net illiterate by choice. That is the sort of benefit we will obtain by delivering the future through all the programs involved in the Information Economy 2002 strategy.

I close by, once again, congratulating my ministerial colleagues and their departments for being so extraordinarily successful in the 14th Government Technology Productivity Awards. It does them great credit.

BARCOO OUTLET

Mr HILL (Kaurna): My question is directed to the Minister for Government Enterprises. Have the builders of the Barcoo Outlet approached the government for extra money to fix the problems created by last week's storm event at West Beach in which a large retaining wall collapsed? Will the government bear any extra cost of these problems and, if so, how much will that be?

The opposition has been informed that a large retaining wall built to assist the laying of the Barcoo pipe out to sea has collapsed. According to sources, hundreds of metres of pipe have had to be removed by the builders while the retaining wall is rebuilt.

Members interjecting:

The SPEAKER: Order, the member for Bragg!

Mr HILL: Thank you, Mr Speaker. I would think that government members would treat this as a serious issue: certainly the people at West Beach do. The opposition has been told that the builders have approached the government for extra financial assistance.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): The issue of the Barcoo Outlet is, indeed, a very serious issue because the Barcoo Outlet works will allow the total regeneration of the Patawalonga which, in all the time that the opposition was in government and the member for Kaurna was the secretary of the ALP, all that happened was that rubbish came down and sat in anaerobic conditions in the Patawalonga; indeed, it festered in the Patawalonga and, on occasions—as we know only too well—a huge black plume would go out to sea and come back onto the beach. That is a serious matter. The Barcoo Outlet works will allow for a pristine sea water environment through regular flushing of the Patawalonga similar to West Lakes where there is a pristine sea water environment.

Mr Hill interjecting:

The Hon. M.H. ARMITAGE: I will; I am going to.

Mr Hill interjecting:

The Hon. M.H. ARMITAGE: I will come to that. So perfect is the Patawalonga going to be that, as I have already identified publicly, we are looking forward to a rebirth—

The SPEAKER: I warn the member for Ross Smith.

The Hon. M.H. ARMITAGE: We are looking forward to a rebirth of the milk carton regatta. My office is already collecting the milk cartons and I will offer a challenge to the shadow minister for the environment, because I know—

Members interjecting:

The SPEAKER: Order, the member for Elder!

The Hon. M.H. ARMITAGE: I will offer a challenge to the shadow minister for the environment—

Members interjecting:

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

The Hon. M.H. ARMITAGE: —because I know that he will want to be assured that the Labor Party is celebrating the Patawalonga being brought back to a pristine environment. I offer him a challenge to get a milk carton vessel of some description from amongst his colleagues, and he and I can have a race up the Patawalonga in its new state. I am very happy to do that.

Another thing that is serious about this question is that the member for Kaurna comes in spouting piously information that he has been told that the builders are going to apply for extra money and so on. It is simply not correct. Under the terms of the fixed price (and I underline that) design and

construct contract, Baulderstone Hornibrook is responsible for any costs not covered by insurance, and Baulderstone Hornibrook has not therefore sought to recover any additional costs from the government.

So, there are a number of serious matters in the question. First, after all the years of inaction of the Labor Party when it was in government we are doing something about the Patawalonga. That is a serious thing we are doing. It is also serious that the member for Kaurna—the shadow minister for the environment—would be so gullible as to take every single bit of rumour, every single telephone call he might receive, as fact. This is another example where he has been dropped in it; it simply is not true.

GULF ST VINCENT

Members interjecting:

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

Mr MEIER (Goyder): Recognising the importance of the Gulf St Vincent between the Adelaide coastline and the eastern coast of Yorke Peninsula, will the Minister for Environment and Heritage update the House on the latest initiatives to help protect the environment of Gulf St Vincent?

The Hon. I.F. EVANS (Minister for Environment and Heritage): This morning I had the opportunity to open a conference in relation to Gulf St Vincent. I think that most people recognise that, Adelaide being essentially a coastal city, we have a very close relationship with our marine and coastal environment as a population. There is a growing interest in the marine environment and coastal issues in general. A good illustration of that would be the growth of the Coast Care group that has occurred over recent the years; and the fact that there has been a genuine interest in the community about their coasts.

This morning at the conference I had the pleasure of announcing an Adelaide coastal waters study to be undertaken by the CSIRO over the next three or four years. I note that the member for Ross Smith, soon to be a candidate for Enfield, mentioned another one. I want to touch on that, because there have been a number of studies into marine issues over the years by governments of all persuasions, and the reports have tended to be on narrow topics. For instance, they have concentrated on matters such as simply the loss of seagrass, sand movement, algal blooms, litter or discharge problems.

Mr Clarke interjecting:

The SPEAKER: Order! I warn the member for Ross Smith a second time, and caution him about the direction in which he is heading.

The Hon. I.F. EVANS: The intention of this report is to look at the coastal system in metropolitan Adelaide as a whole. The CSIRO will be undertaking this study, given its considerable experience in conducting other studies around Australia, particularly in Port Philip Bay and Gippsland lakes. Other reports in the style of this report have been done in Western Australia and Queensland. There is no doubt that the marine environment is a very complex one in which to try to establish exactly the different issues existing within that environment. There are recreational interests, commercial fishing interests, shipping interests of course, and genuine environmental interests. People who live on the coast have interests in relation to their recreational pursuits and the value of their homes. It is a very complex area to examine and on which to develop policy. It is also recognised that the community is fast reaching the conclusion that we cannot repeat the mistakes in the marine environment that we have done on the land, and there is no doubt about that.

Credit must go to SA Water and the environmental improvement programs that it has developed in relation to the waste water discharge. It is a big program involving an upgrade of well over $220 million. It is all about nutrient and discharge reduction into the gulf, and therefore obviously providing what we think is a far safer and far better marine environment long term; and that can only be a good thing.

I look forward to receiving the results of the study. It will be about a three to four year study because it will take that long to look at the issues. That has certainly been the pattern developed interstate; that is, you need three to four years to look at the issues as they develop. I look forward to receiving the report in due course and making some good policy decisions as a result.

TELSTRA

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Minister for Regional Development. Given Telstra's decision to close its call centre in Port Pirie within the minister's own electorate at a cost of 34 regional jobs, did the minister receive warning from Telstra of its decision? What discussion has the minister had with Telstra officials about measures to assist the workers affected; and what is the minister doing to help secure Telstra call centre jobs in Kadina and Murray Bridge?

The Hon. R.G. KERIN (Minister for Regional Development): Yesterday, I did a radio interview, returned to my office and then did an ABC radio interview. I did that for the news and then they said, 'Would you go on Programs?' as they had just been told by the union about the closure. That was the first I knew of it, although Telstra, to its credit, did ring within about 10 minutes. I was on its list to ring about what had happened.

We have been talking to people within Telstra on an ongoing basis. They have alluded over a period—and I think they have done so with the opposition as well—about the fact that over a period of time—

Mr Koutsantonis interjecting:

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

The Hon. R.G. KERIN: Over a period there will be—

Mr Koutsantonis interjecting:

The SPEAKER: I warn the member for Peake for the second time.

Members interjecting:

The SPEAKER: And I do not need assistance from members on my right.

The Hon. R.G. KERIN: They have indicated that, over a period, some of the older call centre jobs will disappear from regional areas, and they are looking at centralising. The big problem for South Australia—and we are very aware of this—is that not many towns in South Australia can handle the 300 job type call centres which Telstra is considering. We have a problem with that and we are talking that through with Telstra. As far as the other centres go, I think people in South Australia are trying to do their best. They do keep us in the loop pretty well. However, some national policies seem to be well and truly telling against regional areas in South Australia, and we will continue to take that up with Telstra.

The matter of Port Pirie seemed to be more of a long-term issue when it was previously discussed, and I think it came as quite a surprise. I think the workers were under notice that the Pirie centre might close over the next, say, three or four years. The fact that yesterday it was changed to 'by August' came as a surprise to absolutely everyone involved. We will continue to take that up with Telstra. I do not know whether we can turn that one around: we would like to—in fact we would like it to grow. One of the issues is that, if senior management in Telstra goes down this track of setting up centres employing 300 people, it will be extremely hard for us in South Australia. That is one of the policy issues which we need to continue to try to change.

SEPTIC TANK EFFLUENT DISPOSAL SCHEME

Mr WILLIAMS (MacKillop): Will the Minister for Government Enterprises advise the House on what action the government is taking to address the long waiting times for access to the STEDS (Septic Tank Effluent Disposal Scheme) for rural and regional communities?

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I thank the member for MacKillop for a perceptive question about a really important issue for South Australia. One of the issues which confronts a number of our hills and rural communities is the impact on our waterways from leaking septic tanks.

Septic tanks were recognised as a cost effective way of providing sewage disposal in areas that do not have a connection to a sewer main. South Australia now faces quite a major difficulty, because the septic tanks are ageing, and a number are damaged—indeed, they are leaking—particularly where local soils are unsuitable for the septic tanks, anyway. So, when the ageing and damaged septic tanks leak, the effluent is washed into waterways which then poses a threat to ecosystems and, indeed, to the water that feeds into the very reservoirs from which we draw our water supplies.

A way of overcoming that is to replace the septic tank with waste water treatment systems that serve local communities. As the member for MacKillop said, it is known as the septic tank effluent disposal scheme (STED). The STED scheme is managed by the Local Government Association, and the state government has been providing the LGA with just over $3 million a year under a five-year agreement which is due for renewal. I am pleased to announce that not only will we continue to fund the LGA to manage the STED scheme but also we are increasing the amount of money from $3 million to $4 million. That is a bonus, but there is a very long waiting list.

It is estimated that at the current rate of funding it would take another 33 years to complete the STED program, and that would cost about $134 million. Of course, during all that time, we would be experiencing the environmental effects I have identified. So, to reduce the time frame, as part of the new agreement with the LGA I will be asking it to work with the government on a plan to concertina downwards that time frame with the involvement of the private sector. We would be looking to have a build own operate transfer (BOOT) scheme where the private sector would construct the STED scheme, and there would be continued funding from the state and the local government body. The contractor would operate and maintain the scheme for a set period whereupon the ownership would then transfer back to councils. With the private sector BOOT scheme, that would accelerate the completion of the STED scheme to about four or five years instead of the 33 years which it would take under the present time frame and arrangements, which provides major benefits for the local communities and for the environment.

Of course, that will provide a major challenge to the opposition, particularly to the shadow minister for the environment. Will the shadow minister for the environment encourage us to involve the private sector in this system and thereby concertina down from 33 years to four or five years the completion time for the STED scheme, or will the opposition spout the usual philosophical line which is, 'Involvement of the private sector is bad'?

An honourable member interjecting:

The Hon. M.H. ARMITAGE: Indeed, the shadow minister is saying that he will not be spouting that. He will be saying that involvement of the private sector is a good thing for the environment and local communities. That is a clear admission by the shadow minister that involvement of the private sector can be a good thing. This would represent a very significant infrastructure investment in South Australia. It will certainly enhance the government's continued to our state's waste water services. It is part of a grander environmental picture, another factor of which the Minister for the Environment has just sketched out in the previous answer. The STED scheme is a good one. We hope to make it much more effective and much more efficient, with the involvement of the private sector.

MOUNT GAMBIER HOSPITAL

Ms STEVENS (Elizabeth): Is the Minister for Human Services aware of allegations by a senior doctor that the Mount Gambier Hospital Board has allowed a state of 'inefficiency and bad practice' to occur at the Mount Gambier Hospital? The opposition has a copy of a letter to the Chairman of the Mount Gambier Hospital Board from Dr Goodman, one of the longest practising members within the Mount Gambier Hospital, which criticises the board for failing to attend a meeting to discuss the Coombe report into hospital operations because the board decided that it was unnecessary. The letter states that the board failed to establish a regional medical complement suggested by the Brennan report in 1996, resulting in fly-in practitioners at taxpayers' expense who leave with little or no after care for patients, and that the board has failed to control expenditure on cars and equipment. Dr Goodman's letter also says that patients from subregions are transferred to Mount Gambier on Fridays and weekends following the expatriation of their medical attendants.

The Hon. DEAN BROWN (Minister for Human Services): As I am sure most people know (and certainly the member for Gordon knows), a number of issues have been raised between the doctors and the hospital at Mount Gambier. Mount Gambier seems to be a slightly different environment at times, when it comes to medical issues and some of the feelings down there. It has traditionally had—

Members interjecting:

The Hon. DEAN BROWN: There has been a traditional environment there where, at times, unfortunately, rivalry has existed between medical practices in the town and between individuals, and there have been complaints about their relationship with the hospital. As a result of a number of matters, which I would describe as medical and clinical issues, I have referred the whole matter to the Medical Board and the Medical Board is, in fact, investigating those matters. There may also be other matters that arise in conjunction with

the administration of the hospital, and the Department of Human Services will be looking at those issues that may flow out of the investigation by the Medical Board.

The Medical Board is specifically investigating those issues that relate to various complaints by medical practitioners about medical practitioners. They are matters of complaint about the medical practitioners within the hospital but there are also complaints about the medical practitioners outside the hospital. I do not wish to go any further than that: I issued a public statement last Friday about the matter. All I can indicate is that I have asked the Medical Board to report to me on these matters as soon as possible. The department is cooperating with the Medical Board of South Australia in this investigation, and I think that that is the appropriate body to deal with it. I look forward to hearing or seeing their response.

2000-2001 WOMEN'S STATEMENT

The Hon. DEAN BROWN (Minister for Human Services): I seek leave to table a ministerial statement made by the Minister for Transport and Urban Planning (Hon. Diana Laidlaw) in another place, concerning her 2000-2001 Women's Statement.

Leave granted.

GRIEVANCE DEBATE

Ms STEVENS (Elizabeth): I want to outline to the House some experiences of great concern to a constituent of mine in relation to events involving the South Australian Housing Trust, which she tells me led to a crime that was committed on 2 October 2000. The crime has resulted in the loss of 90 per cent of her family's personal property. It has also resulted in severe emotional and psychological trauma being experienced by her and her two children, aged 10 years and six years. All three have received, or continue to receive, counselling as a result of this crime.

The events are as follows. In August 2000, the woman requested from her area manager a transfer from her Housing Trust unit in Davoren Park on the basis that she had concerns about neighbouring drug problems and the safety of her two children. Another South Australian Housing Trust property was found for her and she was told that the adjoining neighbour was 'a young man who lived with his cousin and grandmother' who had 'a short-term lease' and for her 'not to worry about him'. Based on this information and believing she was moving her children to a safer area, she signed the papers agreeing to the move. It was only then that the new area manager advised her that her neighbour was a problem: that she should not leave the house unlocked and that she should secure valuables. She also advised my constituent to keep a diary of all incidents. The woman later discovered that he lived only with his pregnant partner.

Over the following six weeks, the woman recorded a number of incidents. She cited lots of arguing and abusive language. On the third day her children heard him kicking down the front screen door of his property and threatening a person with an iron bar. The police were called to the incident. There was another incident of threatening a person with a knife in his front yard. The final incident occurred on 2 October, when he lit a fire inside the back of his building, knowing that she and her two children were in their home at the time. Neighbours alerted the woman to the fire but she lost 90 per cent of her possessions. The smoke detector, which was the responsibility of the Housing Trust, did not work; had not been hardwired to the building; and had been noted on the inspection sheet to be hanging off the ceiling.

Coincidentally, the film crew of the *Today Tonight* program were in the area at the time and arrived at the House before the fire brigade. The segment was aired last year. Her neighbour is currently awaiting trial for his crime. After the fire, the woman was informed by two separate workers from the Housing Trust that the property had sustained mainly smoke damage and that she was expected to remain in the residence. She suffered with and continues to have symptoms of post traumatic stress disorder. Unable to remain in the house, she and her children were homeless, staying with friends and family for 12 days, until further accommodation was found.

To add insult to her wounds, my constituent found that she had been charged rent for these 12 days. She has been able to gain reimbursement for only seven of these days, with five days outstanding to her. She has not been able to feel relaxed and settle into a house since that incident. She has struggled with feelings that she (being her children's primary care giver) was unable to protect her children from danger.

It is ironic that the only reason my constituent moved in the first place was to provide a safer environment for her children. It is this injustice which angers her and which she wishes to be addressed. She feels concern for other people who may be in similar situations and believes that the Housing Trust has a responsibility not to give misleading information and to not knowingly put others at risk.

In my constituent's case, her strength of character has allowed her to make progress. The effects of this incident, even so, will be longstanding for both her and her children. Mistrust of people is one of the saddest consequences she now faces. The memories will always remain. This incident should not have occurred. Systems need to be put in place whereby people who are receiving transfers to get away from situations such as I have just described do not find themselves in worse situations.

The Hon. D.C. WOTTON (Heysen): This afternoon I want to refer to a couple of issues. First, I want to commend the Adelaide Hills Regional Development Board for the excellent work it is doing through the hills. In particular, I commend the Chairman and the CEO for the organisation yesterday of an excellent regional forum. Because of the sittings of the House, it was not possible for me to attend, but I have had excellent reports back. Apparently, about 50 or 60 people attended as a result of an invitation extended to them, and I understand that coming out of the forum a report will be provided, including print-outs of all the overheads used, and I am looking forward to that information being provided.

I have received very positive comments. The guest speakers dealt with issues relating to primary industries, food and wine, manufacturing, tourism, retail traders, as well as issues relating to local government, natural resource management, education and training, community and health and many others. Excellent local people were invited to make presentations and to answer questions from the floor. The reason that I am delighted about this is that for a long time I have seen the need to bring many of these stakeholders together to be able to discuss a number of the issues. As most

of the stakeholder presentations were presented as issues there was, I am told, an emphasis on some of the difficulties being faced and what was often referred to as perceived problems.

However, I am very pleased that in most cases answers were provided to these perceived problems that were put before that meeting. A number of issues were referred to. At the top of the agenda was the Adelaide Hills PAR which deals with matters in the watershed and which is a very controversial issue at the present time, and I will say more about that on another occasion. There was discussion on the matters arising as a result of the new highway and the tunnels, such as increased urbanisation, particularly in the Mount Barker council area; and some of the problems were recognised in regard to increased pressures on planning and those who have the responsibility for planning in local government.

Also discussed were linkages between government and community and business. A need was recognised for improved communications. Discussion also took place about the competition from the metropolitan area, which is seen to be increasing for all businesses, particularly in retailing and manufacturing. There was very positive discussion on the issue of tourism and very negative discussions on the issue of signage through the Adelaide Hills, and I will speak on that matter on another occasion. But, all in all, it was a very good initiative on the part of the Adelaide Hills Regional Development Board.

The other matter I want to speak about briefly relates to a recent article in the *Advertiser* under the heading 'Interest surges in solar panels', and reference to the federal rebate that is being provided. I was delighted to see that more than 150 households in South Australia have now decided to turn to the sun for their energy needs and, of course, they are being encouraged by the federal government rebate. The photovoltaic rebate program which encourages consumers to install solar panels to exploit the sun's energy and which attracts a subsidy of up to $7 500 was introduced at the start of last year.

Of course, there are many positives, one of which is that the rebate is not the only incentive: other benefits include reduced electricity bills. I think we all realise that everyone who moves into solar energy has an idyllic view about helping the environment, which is balanced by an eventual financial pay-back. It is a very positive scheme.

Time expired.

Ms RANKINE (Wright): It was a very timely coincidence to hear this afternoon the Minister for Human Services' intention to introduce his new bill in relation to providing an avenue for people to lodge complaints about our health system and the establishment of the South Australian Quality and Safety Council. It was very interesting to hear his concerns about the poor quality and care people have been getting in our public hospitals. This House, I am sure, will recall that last year, on 4 May, I raised a number of concerns that had been brought to my attention by constituents in relation to the treatment and care they had received at Modbury Hospital.

Subsequent to that, I put a motion to this House calling for an investigation into patient care at Modbury hospital, but this government allowed that motion to lapse and it was never debated. However, today is not the day for me to reflect on the government's disregard for the care that our residents should receive in public hospitals. Today, I want to return to one of the issues that I raised on 4 May in relation to Mr James Queenan. Mr Queenan was suffering cancer and was admitted to Modbury Hospital in August 1999. He was in hospital for only a few days before he died.

I am sure that members will recall that I relayed the circumstances of that situation, most particularly the fact that Mr Queenan spent the last few hours of his life lying naked on a mattress on the floor of his room where he died. My concerns and that of his family centred very much on the care he received at Modbury Hospital. This case received considerable publicity and attracted comment from Mr David Southern, CEO of the Modbury Hospital Board, who advised that it would be premature to apologise to Mrs Queenan as no investigation had been undertaken at that time; and comment also from the State Ombudsman, who expressed some surprise that I had not raised my concerns with him in the first instance.

It was my hope at that time to have this matter taken seriously by the government. It was about trying to show this government the extent of the problems existing at that hospital and in the public health system generally, and it was about trying to get this government to take some immediate action. Now we know that that did not happen. Interestingly, it seems that they have been dragged kicking and screaming to that point of view. In late May 2000, Mrs Queenan and I met with the Ombudsman. He undertook to investigate the claims and concerns put before him, and earlier this year he made his report. As a result of the Ombudsman's investigation, a formal apology has been issued by Modbury Hospital. The letter received by Mrs Queenan states:

> Dear Mrs Queenan,
>
> I refer to the care provided to your late husband, James Queenan, at Modbury Public Hospital prior to his death in August 1999. On behalf of the clinical staff and hospital management, I apologise most sincerely for the distress that you, your family and Mr Queenan's friends have suffered as a result of your involvement with Modbury Public Hospital. I deeply regret that our attempts to provide care to your late husband were not up to expectations and I wish to reassure you that the care of our patients and the maintenance of their dignity is of paramount importance to all our staff.

Most importantly, the letter further states:

> We have had the sad but important opportunity of learning and changing from the experiences faced by you and your husband and the subsequent investigation by Mr Eugene Biganovsky, the State Ombudsman. I assure you that as a direct result I have instituted several changes aimed at improving the overall quality of our care. I have focused on the clinical documentation, the involvement of specialist consultants, the use of discrete settings for private talks with clinicians and on contemporary nursing practices. I firmly believe that the issues which caused you such distress are now unlikely to recur for other patients. Please accept this apology together with my sincere condolences over your husband's death.
>
> Yours sincerely, Jill Michelson, General Manager.

Let me commend Modbury Hospital for the courage to issue this apology. I am particularly pleased with the assurances it has given in relation to the changes implemented at the hospital, which we are all hopeful will ensure that such incidents are never repeated. Let me highlight that this letter in no way mentions the assistance or intervention of the Minister for Human Services, as he indicated in his response today. I know that this apology was of great comfort to Mrs Queenan and I know that it will assist her to come to terms with her husband's death. It also validates the concerns that she raised. Her aim was always to ensure that similar circumstances and incidents do not recur. It is always my intention to ensure that the members of my electorate have confidence in their public hospital.

Time expired.

The DEPUTY SPEAKER: The member for Stuart.

Members interjecting:

The Hon. G.M. GUNN (Stuart): I am delighted that I have made the member for Spence's day. He can continue to prepare his poison pen articles. I understand that the last couple have really been very expensive for him.

Mr Atkinson: Not at all.

The Hon. G.M. GUNN: I sought an apology, which I thought I would get the benefit of one day.

Mr Atkinson interjecting:

The Hon. G.M. GUNN: It did not appear to me, when reading this particular apology, that it was done very graciously. But I was delighted that the honourable member did recognise the undoubted talents of the member for Ross Smith.

Mr Atkinson interjecting:

The Hon. G.M. GUNN: I do not know that there was much good grace in it. The matter I want to raise today is that yesterday I referred to some of the interesting activities of the Victorian Labor government and what a Labor government would do in this place, if we were ever so unfortunate. Last night, on the way out of this building, I was fortunate enough to get a copy of the Victorian *Weekly Times*, and what did I see on the front page? The heading was 'Titled Slum' and it stated:

> Victorians buying properties on more than one title will face a massive jump in stamp duty costs from 1 July. All property buyers will have to pay duty on a combined sale price, not on individual titles, under the new Stamp Duties Act.

We will make sure that every rural producer in this state knows about that. A person buying a property for $300 000 would currently have to pay about $6 000: it is going to go up to $13 500. These are the sort of tricks these people get up to. Obviously, it is in line with what the member for Spence would be into.

Mr Atkinson: Well, why have you been on the backbench for 31 years?

The Hon. G.M. GUNN: As I told the honourable member yesterday, I can make a living outside this place. The honourable member makes a poor job of doing anything, and couldn't. That is the reason. It is very simple.

Mr Atkinson: I worked for Advertiser Newspapers.

The Hon. G.M. GUNN: You do not work there now and they were pleased to get rid of you. The honourable member challenges me, but he could not represent a rural seat because he does not have a driver's licence. He cannot even drive a car, let alone drive a nail into a block of wood.

Mr Atkinson: I live at Kilkenny. Why would I represent a rural seat?

The Hon. G.M. GUNN: Well, they would not have you.

Mr Koutsantonis interjecting:

The Hon. G.M. GUNN: Well, the honourable member for Spence has a student—we know that the honourable member for Peake is under the guidance of the member for Spence, and we are aware that the member is the highest paid JP in South Australia. We also know one other thing he has distinguished himself in: he has proved very successful at being an ethnic branch stacker. He has distinguished himself.

Mr KOUTSANTONIS: I rise on a point of order, Sir. The member for Stuart is impugning improper motive upon me and I ask him to withdraw.

The DEPUTY SPEAKER: I ask the member for Stuart to withdraw that statement.

The Hon. G.M. GUNN: I was paying him a compliment.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.M. GUNN: I was paying the honourable member a compliment and he does not appreciate it. I was paying credit to his undoubted skills and ability. But, Mr Deputy Speaker, if I have offended him of course I will withdraw it, because I was paying him a great compliment of being a branch stacker. The other thing about the honourable member—

Mr Atkinson: Why were you sacked as Speaker?

The Hon. G.M. GUNN: I find it amazing that the honourable member would want to draw attention to himself in this particular way. But I congratulate the honourable member. I am told by some of his colleagues that he was very efficient in organising the branch and that is how he got in here. Give him full credit. I am surprised that he takes umbrage. But I am very pleased that the honourable member takes interest in my speeches and that I have an audience. I am very pleased about that. Next Tuesday he will be able to come in and listen to me again. I have one or two other matters to raise in the House and I am pleased that the member for Spence is—

Mr Atkinson: Trainer was sacked and you were sacked. Why?

The Hon. G.M. GUNN: And the honourable member has been sued! You have done well.

Time expired.

Mr KOUTSANTONIS (Peake): I would like to talk about the good work taxi drivers are doing in South Australia. Members opposite are often criticising taxi drivers and making fun. Today in the *Advertiser* on page 4 the headline is 'Taxi tip-off foils intruder'. The taxi industry has been working very closely with our police and law enforcement authorities in a program similar to Neighbourhood Watch called Taxi Watch. An intruder was foiled and is in custody, thanks to the good work of a taxi driver. He is an enterprising young man who did a very good job.

An honourable member interjecting:

Mr KOUTSANTONIS: I believe it was Independent Taxis. It is very important that we recognise the good work of these taxi drivers. In my travels throughout my electorate while doorknocking I am often called inside for a cup of coffee and a biscuit or a scone. One dear old lady, a very big supporter of mine, who reads *Woman's Day*, showed me an article and asked me if I could enlighten her about who someone might be, and I will read out the letter to 'Dear Fiona', on page 110:

> I have been involved with a man who is a politician. We have been together for some years but have been reluctant to come out while he is still in office. Will we be together in a proper way? (Signed) Waiting, Barossa Valley, South Australia.

The *Sunday Mail* ran an article on a number of retiring politicians and I wish to inform those members that the member for Ross Smith has a very good lawyer who is happy to take up defamation actions on their behalf. If they wish to contact the member for Ross Smith to sue *Woman's Day* for printing this article, I am sure he would be more than happy to inform them who their clients are. I am not one to name members who have announced their retirement from state parliament, but I am sure that 'Waiting' of the Barossa Valley is very keen to find out and might be interested to know that the High Court has ruled that people who are involved in divorce cases are now entitled to superannuation of a partner. I am not one to promote this sort of thing but I hope

'Waiting' of Barossa Valley will get her answer as soon as possible.

As to the member for Stuart's remarks earlier, the member for Spence put it well—31 years in this place and a backbencher; becomes Speaker for four years and his own party dumps him. The question is: why? Why is a man who has been a member of parliament for 30 years in this House held in such low regard by his own party?

Mr Atkinson interjecting:

Mr KOUTSANTONIS: Yes, in 1972 he was a go-getter. The Liberal Party has had all these members of parliament come in talking about leadership aspirations. When the Government Whip entered the House he was talked about as being a future leader of the party. The member for Colton, when he entered parliament—who I think is a very good member of parliament, I might add—was often talked about as being a future leader or minister, yet, again, the party turned on him. The member for Hartley has been nothing but loyal to his party. He has sat on the backbench for eight years—

An honourable member interjecting:

Mr KOUTSANTONIS: Languishing on the backbench. He left a very good profession as a teacher. I understand he was a very good teacher, but he has languished on the backbench.

An honourable member: Ivan.

Mr KOUTSANTONIS: Poor old Ivan. I understand Ivan was informed about an article in the *Advertiser* about a front bench reshuffle. In fact, that article was about the Labor Party, but his inquiry of the journalist was, 'Have I been promoted finally?' 'No, Ivan, it was about the Labor Party.' However, I am sure that, one day, the member for Schubert will be rewarded for his good work and loyalty to the party he loves and to the leader he loves.

Mr Atkinson interjecting:

Mr KOUTSANTONIS: Yes, and will have a hefty reward. Of course, there is the leader in waiting, the member for Coles. I am sure she is looking forward to the day when she is elevated to the position of Leader, and her deputy, the member for Unley. However, there is one person who is smart enough not to take the poisoned chalice. The member for Davenport knows that he is hanging around until after the election.

Time expired.

Mr LEWIS (Hammond): I was wondering for a while whether or not I would get a shot at this. I wish to continue where I left off yesterday in drawing the House's attention to the mess in the rental properties market at the present time as a result of the inordinate interference of the Residential Tenancies Tribunal and the over-regulation of the rental market by the bureaucracy. Altogether, it means that people can now occupy rental premises, trash them and get away with it. That has to stop. What is happening is that, because of the laws about discrimination that also impact on whether or not someone is willing to invest in rental property and allow a tenant in there, the number of rental properties that are available generally in the marketplace is falling so dramatically that it is no wonder that those people who are in any way suspect and do not have good references as prospective tenants simply cannot get premises in which to live.

The constituent who has written to me about this in my electorate, Mr Ross Koster, has had the unfortunate experience of having somebody sign up for his premises and had the bond paid for them and placed on deposit, In the process, they signed an undertaking not to smoke in the premises and the like. Then he found later that not only were the blinds and internal fittings literally burned or partly burned but also that there were cigarette burns in the carpet as well as in the bedding and mattress. When eventually Mr Koster was able to gain entry he discovered that the person living there was not the person who signed the documents at all. The person who signed the documents was in prison and had been for several months, and the person living there was itinerant, but the landlord, Mr Koster, could not get him out of the premises, because he would otherwise be made homeless.

Eventually, he succeeded in getting an eviction notice through the bureaucratic system, but by that time his property had been so badly damaged that he virtually had to buy it again to restore it to a state fit enough to be able to rent it. So, he was well and truly out of pocket. To add insult to injury, the squatter who came in and took over the premises took all the keys with him and booby trapped the letter box. Nice people!

Mr Clarke: Are they constituents of yours?

Mr LEWIS: No; I tried to discover who the tenants were. They were not and have never been on the electoral roll. Wherever and under what name they are registered I have no idea, but it is a real problem. Members need to pressure the federal government into doing something about it. It is just crazy. I undertook to raise the matter here in the grievance debate yet again. It is time to redress the scales. We are doing the people who seek rental premises no favours by making it extremely difficult, if not impossible, for those providing such premises to get tenants who act responsibly. The agreement is stacked in favour of the irresponsible.

The next matter to which I wish to draw attention is that of B-doubles on unsealed roads in rural council areas. At present, the Minister for Transport and Urban Planning and her advisers need to pull out their finger and pull in their head and allow councils a scheme by which they can have B-double operators accept liability for their actions and then avoid being able to sue the council for any damages which occur when they drive their vehicles in an unsafe manner along the unsealed roads around the council area doing their trade, if something happens to the truck and/or somebody else comes into collision with the truck. The council ought not to be held liable, and it should be possible for them to opt out by getting a signature from the B-double truck operator in that manner. However, the department of transport will not agree.

Time expired.

SOUTH AUSTRALIAN HEALTH COMPLAINTS BILL

The Hon. DEAN BROWN (Minister for Human Services) obtained leave and introduced a bill for an act to establish a readily accessible means of having complaints about the provision of health services reviewed, conciliated and dealt with in confidence; to make provision with respect to the rights and responsibilities of users and providers of health services; to make a related amendment to the Ombudsman Act 1972; and for other purposes. Read a first time.

The Hon. DEAN BROWN: I move:

That this bill be now read a second time.

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

Leave granted.

The purpose of the Health Complaints Bill 2001 is to provide South Australian health consumers with a statutory, independent complaints-resolution system. The primary objective is to establish a formal channel for conciliation between users and providers of health services through the creation of the office of Health Complaints Commissioner.

The Health Complaints Commissioner will assist users and providers of health services to resolve problems together. The Bill enables consumers to elect to resolve their complaints through conciliation rather than other more elaborate, expensive or protracted means.

The Bill also represents an important milestone by achieving a uniform and consistent approach to handling complaints across the full range of health services. It gives South Australians a single office for independent and fair conciliation of complaints against any part of the health system. In particular, the legislation extends to users of the private health services the same level of redress currently available to people using the public health system.

Central to the Bill is the guarantee that the rights of consumers are protected and that a health service should "do no harm". These principles underpin the Commissioner's powers to investigate a complaint, seek resolution and construct an appropriate remedy.

The complexity of the health care system frequently overwhelms users. In the course of an episode of care, a patient may present at many different sites and receive a range of interventions including highly technical and invasive procedures. Across all these events, it is vital for the wellbeing of the patient that the system and health service providers recognise the needs of each patient and their right to fair and reasonable treatment at all times. This Bill is intended to enhance confidence in the system of care by providing an independent, impartial and consistent complaints resolution system.

It is incumbent on government, in a climate of ever increasing consumer expectation, to establish an effective system to arbitrate when the health system fails to deliver appropriate care. Users who have experienced unsatisfactory care and who wish to complain must be supported when they seek redress. The Bill also gives recognition to people who may have special needs in exercising their rights as users of health services. This provides for the specific needs of a wide range of persons who may experience difficulty in the exercise of their rights and may include Aboriginal and Torres Strait Islander people, person who cannot communicate in English or have difficulty in doing so, persons from diverse cultural and religious backgrounds, persons with a physical or intellectual disability, young people and other persons who may require assistance in exercising their rights.

An advantage of establishing an independent complaints resolution process is that at the same time as the Commissioner is working toward resolving a complaint, the Commissioner can also work toward promoting improvements within the health system which will reduce the likelihood of similar complaints arising. This dual role benefits individual users of health services, the community and the industry overall as it works toward enhancing and advancing the quality of our health system.

This legislation builds on the experiences of other States and Territories and the Government is convinced that the mechanism that best suits our needs is a Bill which focuses solely on health services and has the capacity to accommodate any changes that may arise within the health care industry. This flexibility in the Bill enables South Australians to be protected in both the immediate and longer terms.

Extensive consultation, covering the public and private sectors, has been undertaken in relation to the previous draft of this Bill, with over 100 submissions received. Comments and recommendations raised have been incorporated into the redrafted Bill so as to ensure that this Bill takes account of the needs of consumers and providers in the health care industry.

The Health and Community Services Complaints Bill 2000 that has been introduced into the Parliament by the Opposition is very broad in scope covering both health and community services in the public, private and non-government sectors. It proposes a very costly, stand-alone office similar to the NSW Health Complaints Commission. The Bill has the potential to:

- Duplicate existing complaints mechanisms in areas already covered by the State Ombudsman or through Commonwealth legislation, particularly in relation to Nursing Homes;
- Stifle or constrain voluntary activity within the community. Even the smallest voluntary groups (eg. community advocacy, self-help or mutual aid services) could be subject to investigation by the Commissioner.

In comparison, this Bill simplifies the process for complaints arising within a very complex industry. It provides clarity to service users and provider organisations regarding what people can reasonably expect of a health service.

The SA Health Complaints Bill 2001 does not duplicate existing complaint mechanisms. The Health Complaints Commissioner to be established under this Bill will work collaboratively with complaints mechanisms already in place. This is a key strength of the Bill. The Health Complaints Commissioner will have the powers of a Royal Commission to investigate matters of significant public interest and will provide a safety net for all South Australians using both the public and private health system.

The Bill is based on a number of key principles. These include that a person has a reasonable right to:

- receive appropriate, quality health services as promptly as circumstances permit;
- be informed and educated about decisions regarding the services they receive;
- be able to participate in decision-making about their individual health care;
- be given consideration of their special needs, especially relating to their personal cultural and ethnic background, their disability or other factors which require special consideration;
- expect confidentiality of personal records and information;
- obtain access to their treatment information; and
- gain access to procedures to redress grievances about the way health services are provided to the person.

Part 1 of the Bill states the objects and guiding principles of the Act and the definition of terms. It includes a specific statement to recognise that people with special needs may require additional assistance to exercise their rights as users of health services.

Part 2 deals with the administration of the Act. It describes the process to create the office of Health Complaints Commissioner and the method of appointment of the Health Complaints Commissioner. It also defines the functions and powers of the Commissioner ensuring the independence of the office from any government department, agency or professional body, and ensures an appropriate balance in relation to the exercise of powers. A key aspect of the Commissioner's role is the duty to encourage, in the first instance, direct resolution of complaints between service providers and users before pursuing investigation and conciliation.

Part 2 also makes the Commissioner responsible for health service monitoring in relation to complaints and service improvements. He or she is required to report on complaint trends, including the identification of causes, and recommend ways to reduce potential risks and improve the quality of services.

Part 3 provides for the development of codes of health service rights and responsibilities. Registration authorities, in consultation with professional associations that represent health service providers, will develop relevant codes to outline what health consumers may legitimately expect of health service providers. The Minister will also be empowered to develop a code or codes for public health authorities, and for other areas.

Part 4 deals with the making, assessment and withdrawal of complaints. To maximise the ease of access to the complaints mechanism, the Commissioner has discretionary opportunity to provide appropriate assistance to support a complainant lodging a complaint. These measures have been introduced to ensure that all South Australians can exercise their rights as uses of health services to lodge a complaint. However, a person will be expected to have attempted to resolve a matter with the health service provider before commencing action under this Act, unless he or she had good reason for not doing so.

Part 5 deals with the conciliation process and Part 6 the matters that the Commissioner may investigate and the conduct of investigations. Information obtained during conciliation is to remain confidential and not used in subsequent proceedings. The Commissioner will be required to comply with the rules of natural justice when acting under this Act. A special right of appeal to the District Court will be available to private health service providers who consider that material or comments contained in a report of the Commissioner are inappropriate or unreasonable.

Part 7 describes the relationship between the Commissioner and registration authorities. Written protocols will be agreed between the Commissioner and each registration authority to guide the procedures and administrative arrangements in managing complaints. The Commissioner will be able to appear or be present in proceedings before a registration authority, if appropriate.

Part 8 deals with miscellaneous matters, including provisions dealing with the protection of confidential information, and the protection of persons who make legitimate complaints under the Act.

In summary, the Health Complaints Bill provides South Australian health consumers with an independent, statutory health services complaints resolution system. It will enhance the rights of consumers to redress grievances and promote the participation of providers of care in the process of conciliation. It extends to users of the private health system the same level redress that currently exists for users of the public health system. The Commissioner must in performing and exercising the functions and powers of the office, act independently, impartially and in the public interest.

I commend the Bill to the House and seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This measure will be brought into operation by proclamation.

Clause 3: Objects of Act

This clause sets out the objects of the measure. These include the provision of a fair and accessible mechanism for resolving complaints which encourages the parties to resolve complaints directly with each other, the promotion of better health services and greater awareness of the needs, requirements and rights and responsibilities of health services users and providers, and to recognise that people may have special needs.

Clause 4: Interpretation

This clause sets out the various definitions for the purposes of the measure. Some key terms include 'health service', 'health service provider' and 'health service user'.

Clause 5: Application of Act

This measure applies to a health service provided by a public health authority whether or not it is for fee or reward or to a non public health authority providing a health service for fee or reward. This measure does not apply to a health service provided under the Commonwealth *Aged Care Act 1997* if a complaints resolution mechanism has been set up under that Act.

Clause 6: Guiding principles

This clause indicates the guiding principles that may be taken into account in determining if a health service provider has acted reasonably. These include the application of a relevant Code of Health Service Rights and Responsibilities developed under this measure and any professional, occupational or general community standards that may exist in relation to the health service provider.

PART 2

ADMINISTRATION

DIVISION 1—THE HEALTH COMPLAINTS COMMISSIONER

Clause 7: Creation of office of Health Complaints Commissioner

This clause establishes the office of Health Complaints Commissioner, who is to be appointed by the Governor on the nomination of the Minister.

Clause 8: Conditions of appointment

The Commissioner will be appointed on conditions determined by the Governor for a term of five years, and may be reappointed at the expiration of the term. The office of Commissioner may be held concurrently with another office. The office of Commissioner may be vacated due to death, expiration of the term of appointment, resignation, bankruptcy, conviction of an offence, becoming a member of Parliament, failure to carry out the duties of office adequately and competently, neglect of duty, dishonourable conduct or abuse of power, ceasing to hold a particular office, or on the decision of both Houses of Parliament.

Clause 9: Remuneration

The Commissioner's remuneration, allowances and expenses will be determined by the Governor.

Clause 10: Assistant Commissioners

The Governor may appoint an Assistant Health Complaints Commissioner for a term not exceeding 5 years on such conditions determined by the Governor. The Assistant Commissioner can exercise the powers and functions of the Commissioner subject to the direction and control of the Commissioner.

Clause 11: Temporary appointment

During a vacancy in the office, the Minister may appoint a person to act as the Commissioner upon such terms and conditions determined by the Minister.

DIVISION 2—FUNCTIONS AND POWERS OF COMMISSIONER

Clause 12: Functions of Commissioner

This clause sets out the functions of the Commissioner to be carried out as the Commissioner thinks fit, which include to inquire into and report on matters relating to health services referred by the Minister, to encourage health services users and providers to resolve complaints directly, to conciliate and investigate complaints and identify their causes and to suggests ways of minimising and resolving the causes. The Commissioner may also investigate ways of improving health services and promoting community and health rights and responsibilities including the provision of information, advice and reports. The Commissioner will maintain links with health service providers and other related agencies and organisations including those bodies that represent the interests of health service users. In carrying out his or her functions, the Commissioner must take account of persons who have special needs.

Clause 13: Powers

The Commissioner has the powers necessary to carry out the functions of the office and in performing his or her functions, must comply with the rules of natural justice while proceeding with as little formality as is possible.

Clause 14: Independence

The Commissioner is responsible to the Minister. However, the Commissioner must act independently, impartially and in the public interest.

DIVISION 3—APPOINTMENT OF CONCILIATORS

Clause 15: Appointment of conciliators

The Minister may appoint people to act as conciliators in consultation with the Commissioner, for a term not exceeding three years on such terms and conditions approved by the Minister.

DIVISION 4—OTHER MATTERS

Clause 16: Staff

There will be such other staff assigned by the Minister or made available to the Commissioner by agreement to carry out the functions of the Commissioner.

Clause 17: Immunity

In performing an honest act or omission in carrying out their functions, the Commissioner, Assistant Commissioner, conciliator or member of staff are immune from civil liability, which will instead attach to the Crown.

Clause 18: Referral and general reporting arrangements

The Minister may refer a matter relating to a health service to the Commissioner who must investigate the matter and make a report to the Minister. The Commissioner may also report to the Minister on the performance of functions or powers under the Act, on complaints dealt with, or on the progress or results of conciliations or investigations.

Clause 19: Annual report

After the end of each financial year, the Commissioner must provide a report to the Minister on work performed under the Act, which must be laid before both Houses of Parliament by the Minister.

PART 3

CODES OF HEALTH SERVICES RIGHTS AND RESPONSIBILITIES

Clause 20: Codes of Health Services Rights and Responsibilities

Codes of Health Services Rights and Responsibilities are to be developed for the purposes of this measure. Codes for public health authorities are to be developed by the Minister in consultation with interested persons. Codes in relation to registered health service providers may be developed by the relevant registration authority, or by the Minister in relation to other health service providers. Copies of the approved codes must be published in the *Gazette*.

PART 4

COMPLAINTS

DIVISION 1—MAKING A COMPLAINT

Clause 21: Who may complain

This clause sets out who is entitled to make a complaint about a health service to the Commissioner. They include the health service user or someone he or she appoints in writing, the parent, guardian or attorney or other authorised person of the health service user, if the health service user has died—a relative or personal representative of the person, a person approved by the Commissioner, another health service provider, the Minister or a registration authority.

Clause 22: Grounds on which a complaint may be made

This clause sets out the only grounds on which a complaint may be made to the Commissioner. These grounds include that the health service provider has acted unreasonably in providing, discontinuing or failing to provide a health service to a particular person, or the

provider acted without consent or did not act according to accepted standards. Failure to respect a person's dignity, privacy or confidentiality or to provide sufficient information on treatment or services available in a way that enables the user to make an informed decision, or failing to provide information, results or documents in the provider's possession that relate to the person's treatment are also grounds for complaint. Failure to give a person a copy of the person's medical records is not a ground of complaint.

Clause 23: Form of complaint

A complaint must be made in writing and must set out the complainant's name and address, the grounds of complaint and the details of action taken by the complainant to try and resolve the matter. The Commissioner may assist a person to make a complaint if required or requested.

Clause 24: Time within which a complaint may be made

A complaint must be made within one year from the day on which the grounds for making the complaint first become known to the complainant. This period may be extended if the Commissioner is satisfied that it is appropriate in the circumstances.

Clause 25: Further information may be required

The Commissioner may require a complainant to provide further information or documents or to verify the complaint by statutory declaration.

Clause 26: Notice of complaint

The Commissioner must provide written notice of a complaint to the relevant health service provider unless, in the opinion of the Commissioner, there is good reason not to.

DIVISION 2—ASSESSMENT OF COMPLAINT

Clause 27: Assessment

The Commissioner must assess a complaint and make a determination on how it should be dealt with including to take no further action, to refer the complaint to a conciliator, to carry out an investigation or to notify a relevant registration authority (if appropriate or required by an established protocol) and deal with the complaint in accordance with Part 7. The Commissioner may, where appropriate, refer the complaint to another person or body. A complainant must have taken reasonable steps to resolve a complaint with the health service provider before it can be proceeded with under this measure. The Commissioner must provide written notice of his or her determination to the complainant, the health service provider and a relevant registration authority (if they have been informed of the complaint).

Clause 28: Provision of documents, etc., on referral of complaint

If the Commissioner refers a complaint to another person or body, the Commissioner may after taking copies, pass on all information or documents relating to the complaint, subject to any conditions to protect confidentiality. Breaching those conditions is an offence with a maximum penalty of $5 000.

Clause 29: Splitting or joining of complaints

If appropriate, the Commissioner may separate a complaint that deals with more than one allegation, subject matter or set of circumstances, or relates to more than one health service provider. The Commissioner may also join various complaints if they deal with the same subject matter, circumstances or health service provider.

DIVISION 3—NO FURTHER ACTION ON COMPLAINT

Clause 30: No further action on complaint

This clause sets out the reasons for which the Commissioner may decide to take no further action or suspend action on a complaint, including the fact that the complainant is not someone entitled to make a complaint, the grounds of complaint are outside the grounds set out in the measure, it would be more appropriate to pursue the complaint through legal proceedings, proceedings have been commenced by another tribunal, body, person or board, it would serve no benefit to pursue the complaint, the complaint is frivolous, vexatious or not made in good faith, it would be an abuse of process to continue, the complainant has failed to comply with requirements of the Commissioner, or the complaint has been resolved or abandoned.

If the matter has been adjudicated by a court or investigated by the coroner, the Commissioner must take no further action, and a complaint must be suspended once an inquest or court proceedings have commenced.

DIVISION 4—WITHDRAWAL OF COMPLAINT

Clause 31: Withdrawal of complaint

The complainant may withdraw a complaint in writing at any time. If the complaint was referred to another body or person, withdrawing the complaint will not affect the performance of that person's or body's functions in relation to the complaint.

PART 5
CONCILIATION OF COMPLAINTS

Clause 32: Form of referral

A referral of a complaint by the Commissioner, whether to one or more conciliators, must be in writing.

Clause 33: Function of conciliator

The functions of a conciliator are to arrange and assist in the discussions and negotiations between the parties and to assist in reaching a resolution or agreement if possible. If appropriate, the conciliator may conduct a conciliation without bringing the parties together.

Clause 34: Objection to conciliator

Prior to the commencement of a conciliation, a party may object in writing to the involvement of a particular conciliator, in which case, the Commissioner must appoint another conciliator.

Clause 35: Assistance at conciliation

A party to a complaint may be assisted or represented by another person unless the conciliator has directed that a particular person cannot act in a particular matter.

Clause 36: Reports from conciliator

The conciliator must provide the Commissioner with a written report of the results of a conciliation if the parties have reached agreement, or agreement is not considered possible. The Commissioner may request a progress report at any time during the conciliation.

Clause 37: Conciliation may be brought to an end

The conciliation may be terminated by the conciliator for any cause or at any time considered reasonable. A party may also request that a conciliation be brought to an end. The Commissioner may then investigate the complaint, refer the complaint to another person or body including a relevant registration authority or take no further action.

Clause 38: Privilege

Anything disclosed during a conciliation is not to be disclosed in any other proceedings without the consent of the parties.

Clause 39: Enforceable agreements

An agreement reached through conciliation may be in binding form, in which case it must be reduced to writing within 14 days of reaching agreement.

PART 6
INVESTIGATIONS
DIVISION 1—APPLICATION OF PART

Clause 40: Matters that may be investigated

This clause sets out the matters that may be investigated by the Commissioner. These include any matter at the direction of the Minister, a complaint the Commissioner has determined to investigate, or an issue that is a matter of public safety or interest or of significance in relation to the practice of a health service provider. A matter may be investigated regardless of whether a complaint has been withdrawn, conciliated, or the assessment of a complaint has been completed or otherwise resolved. An investigation may be carried out after its completion on the basis of fresh evidence.

Clause 41: Limitation of powers

The powers conferred by this part only relate to an investigation.

DIVISION 2—CONDUCT OF INVESTIGATIONS

Clause 42: Conduct of investigation

The Commissioner may decide on the manner in which an investigation is to be conducted.

Clause 43: Commissioner to have powers of a Royal Commission

The Commissioner, in carrying out an investigation, is to have the powers set out in the *Royal Commissions Act 1917* (subject to certain specified exceptions).

Clause 44: Further powers to obtain information

The clause enables the Commissioner to direct a person in writing to provide relevant information or documents, or attend to answer questions, before a specified person. Failure to comply with a requirement under this section is an offence with a maximum penalty of $5 000.

Clause 45: Search powers and warrants

A magistrate may issue a warrant to the Commissioner if satisfied that the warrant is reasonably necessary to obtain entry to premises for the purposes of an investigation. A warrant may authorise a person to enter and inspect the premises or any thing in the premises, to take, remove or copy a document or other relevant item, or to require a health service provider or employee to answer questions or provide information relevant to the investigation. An occupier of the premises must give reasonable assistance. It will be an offence for a person to hinder, obstruct, verbally abuse or refuse to comply with a request or direction in the exercise of powers under the warrant.

The person conducting the search must not use offensive language or hinder, threaten or use force against a person without legal authority.

Clause 46: Reimbursement of expenses

The Commissioner may authorise an allowance or payment of expenses to a person required to attend before him or her or another person (not being a party).

Clause 47: Possession of document or other seized item

The Commissioner may retain a document or other item in his or her possession for as long as necessary for the investigation. However, the person from whom it was taken may request a copy or be allowed to inspect or take an extract from a document at any reasonable time.

Clause 48: Privilege

A person is not obliged to provide documents, answer questions or give information if doing so may incriminate them or breach legal professional privilege.

Clause 49: Representation

A party or a person required to appear or produce documents may be assisted by another person unless the Commissioner has directed that a particular person may not act.

Clause 50: Reports and recommendations

The Commissioner may prepare a report of his or her findings or conclusions during an investigation. If following an investigation, the Commissioner decides that a complaint is justified but incapable of being resolved the Commissioner may provide a health service provider with a notice of recommended action, which sets out the particulars of the complaint, the reasons for the decision, and any action that ought to be taken by the health service provider. If the provider is a registered health service provider, a copy of the notice must be provided to the registration authority.

The health service provider and if relevant, the registration authority have 28 days to make representations in relation to the matter, including what action the provider has taken or intends to take in response to the notice.

After the Commissioner has received the representations or the period of 28 days has elapsed, the Commissioner may publish a report in relation to the matter containing such material as the Commissioner considers appropriate. However, before publishing a report, a draft must be provided to the health service provider, who then has 14 days in which to make representations. The report must not name the complainant without consent, or comment adversely on a named health service provider unless the provider was given an opportunity to make representations in relation to the comments.

The Commissioner must provide a copy of the published report to the complainant and the health service provider.

Clause 51: Reference to another authority for investigation

The Commissioner may refer a matter raised by, or in the course of, an investigation to another person or body in consultation with them. Doing so will not affect the Commissioner's powers of investigation. Subject to such conditions required to protect confidentiality, the Commissioner may provide any documents or information in the Commissioner's possession to the person or body. Breaching a condition is an offence with a maximum penalty of $5000. Written notice of a referral must be given to the parties.

Clause 52: Reference to conciliation

After obtaining approval of the parties, the Commissioner may refer a matter raised by or during an investigation to a conciliator. Referring a matter to conciliation does not affect the Commissioner's powers to deal with a matter.

PART 7
RELATIONSHIP BETWEEN COMMISSIONER AND REGISTRATION AUTHORITIES

Clause 52.0.0.1: Notification to relevant authority

If a complaint involves a registered health provider, and the Commissioner has notified the registration authority, the Commissioner may consult with the authority regarding the management of the complaint. If the matter is to be dealt with by the registration authority, the Commissioner must refer the complaint and forward any relevant documents or information to the authority, and will take no further action unless the matter is referred back to the Commissioner. The consent of the parties is not required in relation to the referral.

Clause 52.0.0.2: Notification to Commissioner and other related matters

If the registration authority receives a complaint that appears to fall within the scope of this Act, the registration authority may refer the matter to the Commissioner. Pending the outcome of any action or investigation by the Commissioner, the registration authority must notify the Commissioner of any interim measures regarding the registered health provider's right to practice taken by the authority. Consent of the parties is not required, although written notice must be given to the complainant.

Clause 52.0.0.3: Establishment of consultation protocols

The Commissioner and the registration authority must agree on relevant protocols including procedures and administrative arrangements to assist in the consultation process in the management of a complaint. The protocols must recognise the operation and disciplinary functions of the authority. Any disagreement regarding a protocol is to be referred to the Minister.

Clause 52.0.0.4: Action on referred complaints

A registration authority may exercise its functions and powers under the relevant registration act in relation to a complaint referred to it by the Commissioner.

Clause 52.0.0.5: Action on investigation reports

If a report of the Commissioner recommends that a registration authority perform a function, the registration authority must inform the Commissioner whether or not it intends to perform the function. Once the function has been performed, the registration authority must advise the Commissioner in writing of any results, findings or other action proposed or taken. If the Commissioner is dissatisfied with the response of a registration authority, the Commissioner may report the matter to the Minister.

Clause 52.0.0.6: Information from registration authority

A registration authority may provide the Commissioner with information, comment and recommendations in relation to any proceedings before it in relation to a registered health service provider.

Clause 52.0.0.7: Information to registration authority

If requested, the Commissioner must provide a report to a registration authority on the progress or the result of an investigation of a complaint.

Clause 53: Assistance with proceedings

The Commissioner may assist a registration authority if requested by the authority. With the approval of the authority or the Minister, the Commissioner may appear or be represented in proceedings before the authority, and in doing so may call evidence, examine witnesses or make submissions.

Clause 54: Further action by registration authority

A registration authority may take any action that is contrary to, or in addition to, action taken or recommended by the Commissioner. A decision of the Commissioner not to take action or further action in relation to a complaint, does not prevent a registration authority from taking any action.

PART 9
MISCELLANEOUS

Clause 55: Delegation

This clause sets out the power of delegation for the Minister and the Commissioner.

Clause 56: Protocols generally

The Commissioner may enter into protocols with any other person or body about the referral of matters between the Commissioner and the other person or body.

Clause 57: Production of confidential information

The power to require the production of documents and information includes the power to require the production of confidential information. Provision of such information will not breach any code of etiquette or ethics.

Clause 58: Preservation of confidentiality

This clause sets out the circumstances in which confidential information obtained through the administration of this measure may be recorded, disclosed or used. Contravention of the clause may result in a maximum penalty of $10 000.

Clause 59: Protection of information

The Commissioner is an exempt agency and all documents relating to the assessment, investigation referral or conciliation of a complaint are exempt documents for the purposes of the *Freedom of Information Act 1991*.

Clause 60: Protection of identity of service user or complainant from service provider

The Commissioner may refuse to disclose particular information in order to protect the identity of a health service user or complainant from the health service provider in particular circumstances including risking the health or safety of the person, or influencing the level of health care received by them.

Clause 61: Offence relating to intimidation

It is an offence for a person to threaten or intimidate another person to refrain from making a complaint or to withdraw a complaint, fail

to provide information or otherwise fail to co-operate in relation to the performance of the Commissioner's functions under the Act.

Clause 62: Offence relating to reprisals

It is an offence for a person to treat a person unfavourably on the basis that a person has made a complaint, provided information or otherwise co-operated with the Commissioner in the performance of his or her functions (unless the person made false allegations or has not acted in good faith).

Clause 63: Offence relating to the provision of information

A person must not provide the Commissioner or other person with information they know to be false or misleading or to fail to provide information, without which may be false or misleading in a material particular.

Clause 64: Retention of records

Subject to other laws or codes of conduct, a health service provided must preserve records relating to the provision of health services by them and must not destroy records relevant to a matter raised by a complaint.

Clause 65: Protection from civil actions

If a person acts in good faith, he or she is not liable for any loss, damage or injury suffered by another person in relation to making a complaint, statement or report, or providing information, documents or a report to an authorised person under the Act. However, excessive publication of material will not be protected.

Clause 66: Expert assistance

The Commissioner may obtain medical or other advice or assistance in relation to his or her functions under the Act.

Clause 67: Commissioner not to recommend institution of proceedings

The Commissioner will not be empowered to make a finding of criminal or civil liability, or to recommend the institution of proceedings (other than proceedings under the Act).

Clause 68: Non-application of Ombudsman Act 1972

This clause excludes the application of the *Ombudsman Act 1972* to functionaries acting under this measure.

Clause 69: Regulations

The Governor may make various regulations for the purposes of the Act.

Clause 70: Review of Act

After the Act has been in operation for two years, the Minister must appoint a person to prepare a report on the operation of the Act and the extent to which the objects of the Act have been achieved. The person must report to the Minister within six months, and the report must be laid before both Houses of Parliament.

Clause 71: Amendment of Ombudsman Act 1972

The *Ombudsman Act 1972* is amended so that it does not apply to a complaint under this measure.

SCHEDULE 1

Transitional provisions

This Schedule sets out matters of a transitional nature including:

(a) provision for the initial appointment of the Commissioner for a term of less than five years;

(b) provision for a complaint arising from circumstances that occurred up to one year prior to the commencement of this Act;

(c) provision for the transfer of a complaint made under the *Ombudsman Act* before the commencement of this measure with the agreement of the Commissioner;

(d) provision for regulations to be made of a saving or transitional nature.

Ms STEVENS secured the adjournment of the debate.

ESSENTIAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

The Hon. I.F. EVANS (Minister for Environment and Heritage): I lay on the table the ministerial statement relating to the Essential Services (Miscellaneous) Amendment Bill made earlier today in another place by my colleague the Attorney-General, the Hon. K.T. Griffin.

STATE DISASTER (STATE DISASTER COMMITTEE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 March. Page 1119.)

Mr CONLON (Elder): I can say what I believe people will be very happy to hear: I believe that this bill can be dealt with quickly and will be able to proceed through all stages without the need for committee or questions. As I understand the bill, it proposes to make certain amendments to the State Disaster Committee, most relevantly to increase the size of the committee, first, by allowing the scope for the government to appoint a number of people to that committee for their expertise and, secondly, to include the CEO of the Emergency Services Administration Unit.

The opposition sought assurances from the Attorney in another place that these changes were discussed with all the relevant agencies and that, if they did not have their support, at least there was no opposition to them. I certainly have not been approached by any agency with a difficulty with the bill.

On that basis, I would be inclined to take the government at its word. Although that process has been strained somewhat in recent weeks, on this occasion we will take the government at its word. I would signal now that, while I see the merit in this bill, the addition of the Chief Executive Officer of the Emergency Services Administration Unit causes me to make the brief comment that I do have grave and growing concerns about the operation of the new Emergency Services Administration Unit. It was to be an organisation with a budget of $750 000 and now it seems to be growing like a chemistry experiment. I have concerns about that, although they are not entirely relevant to this bill. With those comments, the opposition supports the bill and sees no reason for the House to delay its adoption.

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

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

ESSENTIAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 March. Page 1120.)

Mr CONLON (Elder): Again, it is not my intention to take the time of the House greatly on this. As I understand the arguments put forward by the proponent of the bill, the Attorney-General in another place, relatively recently after the major gas fire or disaster at a gas plant in Victoria, causing a shortage of gas supplies, it was necessary to impose a great deal of rationing. We remember that well, but many of the orders made at the time to impose rationing were ignored by members of the populace, and this exposed an inadequacy in the penalties under the Victorian legislation.

As I understand the reasoning of the Attorney in this state, he foresees that such problems would arise in South Australia if the same situation occurred and that it would be wise to increase penalties at this point. I had and continue to have some concerns about the drafting and the strict liability created largely by new subsection (5a). I must say that some of my questions have been answered by the statement tabled just a short while ago in this House correcting some of the comments made by the Attorney in the other place on this bill two weeks ago. I could not reconcile my reading of the bill with the Attorney's comments then, but this is more the case. I do signal that I have reservations about the attempt to create the two tiers of offence under which, for the benefit of the House, deliberately or recklessly contravening a direction is

a much more serious penalty than contravening it otherwise. It does seem to be a different kind of offence than that previously in the bill.

I do have some concerns about how you attach some sort of penalty to something that is done unintentionally or negligently, or whatever the test is—and the test is very difficult to read. Having said that, I am prepared to take the Attorney on trust and I am prepared to see how this system does work. Hopefully, we will never be in a position where we have to find out. Hopefully, we will not have a disaster of that nature. However, I do have some reservations about the drafting and some natural hostility to penalties attaching to unintentional acts. Having said that, we are prepared to take the Attorney on trust on this occasion and proceed forthwith with the bill without the need for the committee stage.

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

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

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Mr CLARKE (Ross Smith): It is always good to get 10 minutes, and members can rest assured that I will use the full quota. What I would like to raise today is the plight of a number of low paid workers in this state. In fact, they are low paid not just in this state but I suspect throughout Australia. In the past, Australia has prided itself on a fair go and of having an arbitration system in place which allowed for a livable wage and provided for an award safety net. However, recently it was drawn to my attention that many people—and as a former union official I knew that, in any event—are award free. Many people think that award free employees are purely managerial type people who are on very good rates of pay and remuneration packages, when in fact that is not case for the overwhelming number of award free people.

Recently a person came to my office who was covered by an award but that particular award had not been varied, in term of wages or conditions, since February 1988. The award rates of pay were $225 a week plus; less than the state minimum wage of $404.40 per week. The state minimum wage does not apply to award free people. The state minimum wage can apply only to an award. Cutting a long story short, I applied on behalf of this individual to vary that particular award and we are now in the process of getting a consent award made which will bring that award up to date with respect to all state and national wage increases since February 1988.

That particular person was bound by an award; it just had not been varied to include national wage increases to ensure that no-one was paid less than the state minimum wage. However, many people are award free—people working as grape pickers, people working out of the fruit and produce markets and any number of occupations that I could describe—and, because they are award free, they do not have the protection of the state minimum wage and the protection of the maximum number of working hours of 38 hours a week over Monday to Friday, or even over seven days as a maximum, with overtime payments, casual loading being paid and so on.

It came to my attention through one of my sub-branch members that his daughter was working for a potato packing company for a princely sum of $9 an hour, which was the casual rate, and I believe that she has been signed up under one of Peter Reith's Australian workplace agreements, an individual agreement. By signing on to that agreement, she received a 50¢ an hour increase on top of what she was getting. How the Employment Advocate—I am not referring to the State Employee Ombudsman—can certify such an agreement is beyond me, other than the fact that he must have said, 'Well, there is no existing award; therefore, any individual agreement can come into place: there is no yardstick'. I think that must be a nonsense: I think the yardstick has to be the state minimum wage as far as determined by the Full Bench of the State Industrial Commission or by the Federal Arbitration Commission.

Be that as it may, I then looked at the exercise of trying to get an award that would cover all award free individuals at least to ensure that those people had access to the state minimum wage, a maximum 38 hour week, the payment of casual loadings if they were casuals, the payment of overtime when they worked in excess of 38 hours a week or where they were required to work overtime on weekends, and a minimum payment for overtime, if they were called in to work overtime. This particular woman was called in to do some overtime in this potato packing shed on a Sunday; she was required only for the hour and that was all she was paid for. In many industries, if you are required to work overtime, the overtime minimum payment you receive is at least two hours, if not three hours.

There are literally many thousands of people in this position. I thought about doing such an award exercise covering every person who was not otherwise covered by an award or enterprise agreement by such a general common rule award. Unfortunately, that is not possible because of legislation put into place by this Liberal Government in 1994. Under the old state Industrial Relations Act 1993, you had what was known as a section 25A which allowed the Industrial Commission of South Australia to make an award applicable to all workers who were not otherwise covered by an award or industrial agreement, and it could be made on the application of the Employers' Chamber, the Trades and Labor Council of South Australia, the government of the day and a couple of other groups whose names just escape me for the moment.

Unfortunately, when the Tories took office in 1993 and brought in their legislation, the Industrial and Employee Relations Act 1994, they repealed section 25A of the old act. As a result, in 1996 the Trades and Labor Council sought to bring in a general award covering everyone who was not otherwise covered by an award or enterprise agreement to protect these low paid workers.

The end result was that the employers challenged it before the Full Court of the Industrial Court of South Australia, which held that, under the amended legislation brought in by this Liberal government, no such general application could be made. What would have to happen is that you would have to seek an award, industry by industry. You could not seek to have an all encompassing award for people who are not covered by an award or enterprise agreement. Of course, you can see the immediate problem there, that is, new industries, non-award covered industries are occurring every day. New developments take place, new technologies come into place, and it is not physically possible for a union or the Trades and Labor Council to constantly seek new awards. You have to

do it on an ad hoc basis as something comes to your attention in relation to exploitation.

These are very real concerns and problems. A person came to see me whose award had not been varied since February 1988. He was paid over the award rate; I grant you that. The award rate for a 40 hour week as about a $172 a week. He was being paid $12 an hour as a casual. Under the state minimum wage, the minimum rate should have been at least $12.64 an hour. When you multiply it by the 35 hours a week that he was on, that still measures some considerable amount of money. People such as this constituent of mine earned a princely sum of $340 net per week. Out of that, he had to deduct his rent of $120. So he, his wife and six year old child, a one income family, had as their disposable income, after rent, $220 per week. How are they to survive? How is that six year old child to survive? How will that six year old child be able to exploit her potential in terms of education and other opportunities because of the limited financial means of her parents?

There is an increasing number of the working poor in this country. The gap between the working poor, the underpaid and the underworked people in this society, compared to those at the top end of the scale, who are doing exceedingly well, if you are the CEO of BHP or any of the major banks, and compared to this person it is a disgrace and it is a blot on our society.

Mr MEIER (Goyder): I was very pleased to be present recently at a meeting which launched Yorke Peninsula onto the worldwide web. Shortly people will be able to access accommodation and other tourist facilities on Yorke Peninsula via the worldwide web. That has been done as a result of a company called SA Travel Link coming in. In fact, it is part of the Kangaroo Island SeaLink group. I want to thank it and the Yorke Peninsula Regional Development Board for the work it has done over quite some time now to bring about this arrangement. The member for Ross Smith—probably soon to be the member for Enfield—has a pretty good knowledge of parts of Yorke Peninsula. I know he always spends some time there during the Christmas break if he can to check out parts of northern Yorke Peninsula.

He and thousands of others are well aware of the magnificence of Yorke Peninsula. We have such a great diversity from top to bottom in terms of climate, the geography and the type of tourist accommodation, and certainly in relation to the attractions that are available to tourists. Now that will be offered to a lot more people outside of those who currently come.

The figures indicate that some 430 000 visitors come to the region annually, and it is estimated that they spend about $100 million per annum when they come to the peninsula. Of course, whilst the agricultural sector is so vitally important to Yorke Peninsula, as are the service centres, tourism has been an increasingly economic part of Yorke Peninsula now for quite some years, and is continuing to go down that track.

I have highlighted to this House on quite a few occasions the many economic developments that have occurred or are occurring. In tourism terms, the Wallaroo Marina would be the biggest marina under construction in South Australia. Port Vincent is almost through its three month moratorium period with native title, and I am hopeful that that will all go well. Also, a third marina is proposed for the area adjacent to Corny Point. Without getting sidetracked on that, it does not matter what attractions we have on Yorke Peninsula, if people are not aware of those attractions, we will not be able to give maximum service and maximise the facilities that are available.

People would be well aware that the SeaLink group has had an enormous impact on visitor numbers to Kangaroo Island. In fact, I compliment it for the way it markets Kangaroo Island to the overseas tourists and to the intrastate as well as interstate tourists. Yorke Peninsula has missed out significantly. I was under the impression that Yorke Peninsula got 1 per cent of overseas tourists. At the launch of Yorke Peninsula onto the worldwide web I was informed that we get only .5 per cent of international tourists. Our increases can be of a similar order to that which has occurred in the wine industry. Quite some years ago we were tapping into 1 per cent of the international market. I do not even know how far up on that we are now, but we are well up. We are seeing the billions of dollars that are coming into this state.

Likewise, tourism for Yorke Peninsula can follow along the same lines. Not only am I pleased that the Yorke Peninsula Regional Development Board has been fully active in this area and has helped promote the whole of this venture, I would also like to thank the respective councils as well, particularly the District Council of Yorke Peninsula and its Mayor, Robert Shultz; the District Council of the Copper Coast and its Mayor, Paul Thomas; and the District Council of Barrunga West and its Chairman, Mr Howard Daniel.

All three councils have been particularly supportive of this venture and, whilst they are the three key councils on Yorke Peninsula, I acknowledge a fourth council, namely the District Council of the Wakefield Plains because it does come across Yorke Peninsula just past the coast road. I acknowledge particularly the work of its Mayor, James Maitland. It is very much a united effort that has occurred in ensuring that Yorke Peninsula will be marketed in a much more universal sense. Certainly, they will be seeking the assistance and the cooperation of accommodation operators on Yorke Peninsula, and the accommodation operators will have to give a percentage to SA Travel Link. At the same time, it is anticipated that there should be an immediate growth in tourism to Yorke Peninsula of about 10 per cent each year. An article in the *Yorke Peninsula Country Times* states:

> The move is expected to increase bookings for hotels, units, beach houses and bed and breakfasts by 10 per cent each year. It is predicted the alliance will bring an extra $2 million to Yorke Peninsula in three years, and create an additional 50 jobs.

This really is just the beginning of an enormous surge in tourism because, as I said earlier, not only is there a great diversity in the features that people can come and see but also we are gaining more features and more accommodation. Our climate, especially in the northern area, is particularly acceptable and enjoyable. In fact, in the Wallaroo area where I live it is, on average, about two degrees warmer than metropolitan Adelaide. So, if it is a touch cool here, it will be just perfect in northern Yorke Peninsula.

Certainly, if one compares it to the area of Victor Harbor-Port Elliott-Goolwa, one sees that on many occasions our region would be 10 to 12 degrees warmer. It is a climate that is just so attractive and allows maximum usage of the daylight hours, enabling people to enjoy themselves and relax as tourists.

I believe that this new SA Travel Link will ensure that Yorke Peninsula progresses from strength to strength. However, we must provide more accommodation, and I was pleased to hear that an application was lodged some time ago for a 58 room motel at the Copper Cove Marina at Wallaroo. Construction has not yet commenced, but, having had a

discussion with one of the principals recently, I do not think that it is too far away. So, that will help to accommodate more tourists. There has been an application on central Yorke Peninsula and, certainly, in the southern area various applications have been made.

I am very pleased that the government has assisted significantly through the bituminising of the major roads in the Innes National Park and through the construction of the Innes Information Centre. I acknowledge the Minister for Environment and Heritage, who opened the Innes Information Centre. It was an excellent day, and the minister took in a couple of days on Yorke Peninsula.

In fact, I also acknowledge the Deputy Speaker, because I know that, when he was the minister, he took a great interest in Innes National Park. I well recall that he and, I believe, his wife, spent, on the most recent occasion, a couple of days enjoying this national park. It is the most visited national park outside metropolitan Adelaide, and it is great that the government has spent significant money to make it an even more attractive national park than it already was.

We are currently working, in conjunction with council, on bituminising the road from Corny Point to Marion Bay. That project is proceeding very well, and I must compliment all who have been involved in the construction of that road. I travelled on it a few weeks ago, and I thought that it was an excellent road. It will open up the bottom end of the peninsula even more. So much is happening on Yorke Peninsula.

Motion carried.

At 4.05 p.m. the House adjourned until Tuesday 3 April at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 27 March 2001

QUESTIONS ON NOTICE

SALT INTERCEPTION SCHEMES

9. **Mrs MAYWALD:**

1. What is the progress of the following Salt Interception Schemes—

Waikerie Stages IIA and IIB, Bookpurnong to Lock 4 and Chowilla

2. What is the capacity and life expectancy of the Stockyard Plains Disposal Basin and is the capacity sufficient to take additional disposal water from the Waikerie Stage IIA and IIB Salt Interception Schemes and the Qualco-Sunlands Drainage Scheme?

The Hon. M.K. BRINDAL:

Answer to Part I

Waikerie Stages 2A and 2B

The Waikerie Stage 2, A & B, Salt Interception Schemes are approved schemes on the Murray-Darling Basin Commission's 2000-2001 Capital Works Program.

South Australia has made a submission to the Murray-Darling Basin Commission to approve the construction of the Waikerie Stage 2 salt interception scheme as a joint work. If the MDBC approval is given in the near future it is expected that Waikerie Phase 2A would be commissioned by June 2002.

In addition, it is proposed that a Waikerie Phase 2B trial production bore and five monitoring bores will be installed following this approval. Further investigation for Phase 2B will then be undertaken.

Bookpurnong to Lock 4

The Bookpurnong to Lock 4 Salt Interception Scheme is commencing the detailed design phase. This Scheme is expected to be commissioned during 2003/04.

Chowilla

This Scheme is in the very early investigative phase of planning and is expected to be commissioned during 2004-05.

Answer to Part II

The Stockyard Plains Disposal Basin has a design capacity of 400 litres/second although in practice has been found to have a slightly larger capacity. The Basin is currently operating well within its design parameters and is expected to be effective for more than a hundred years into the future.

It is anticipated that the volumes currently being disposed from the Woolpunda and existing Waikerie Schemes will reduce as the volume of disposal water increases from Waikerie Stages IIA and IIB as well as the Qualco-Sunlands Drainage Scheme. Therefore, it is expected that the capacity of the Stockyard Plains Disposal Basin will be sufficient for these Schemes.

The draft River Murray Salinity Strategy identifies the need to identify and address the long-term disposal needs and includes the following proposed action:

Develop a River Murray saline waters disposal management plan which accommodates future drainage and groundwater needs.

OUTSOURCING CONTRACTS

22. **Mr HILL:** What was the value of all outsourcing contracts arranged by the Department of Water Resources in 1998-99 and 1999-2000 and in each case—

(a) what are the details;
(b) were tenders called and if not, why not;
(c) were written contracts signed and if not, why not; and
(d) were any former public sector employees involved in these arrangements and if so, who were they and how long had they not been in public sector employment?

The Hon. M.K. BRINDAL:

1. Observation Well Water Level Monitoring

Part of this function in past years has been outsourced to contractors.

Four local contractors were engaged to monitor the Barossa Valley, Willunga, Eyre Peninsula and Langhorne Creek monitoring networks.

The value of the contracts ranged from about $100 per month for the smaller network up to $200 per month for the networks on Eyre Peninsula.

In all cases, the contracts were signed and no former public sector employees were involved in these arrangements.

Since 1999-2000, the monitoring has been performed by casual staff, selected through a recruitment process which involves the standard interviewing process of a pool of applicants that responds to advertisements in the local newspapers.

2. Routine Data Collection and Maintenance Services of Hydrometric Network

A contract was let to Water Data Services on 2 August 1994 to conduct routine data collection and maintenance services for a part of the South Australian hydrometric network including stations being managed for other agencies. The contract included a limiting fee component and a fee for service component.

The contract was let following a formal tender process and was completed in writing in accordance with standard administrative processes. The initial contract has been amended from time to time to accommodate such changes as modification of the list of stations being served and revision of the schedule of fees.

The value of the contracted service in 1999-2000 was $89 000.

Former public servants are involved with Water Data Services—Simon Reynolds, who resigned from the public service in February 1989 and Bruce Nicholson, who resigned from the public service in January 1996 to join Water Data Services. Both these former employees did not receive separation packages when they resigned from the public service.

3. Minor Services

Performance of routine minor hydrometric tasks are outsourced regularly and data entry, manipulation, editing and printing are occasionally outsourced.

Contracting out of these minor services are in accordance with the departmental procurement process. At least three quotes are sought before engaging services costing more than $2000 but less than $50 000. The acceptance of a quote is confirmed through a purchase order or letter of agreement. Services costing $50 000 or more are subject to a formal tender process.

Total expenditure on these minor outsourced services is estimated at $50 000 to $60 000 per annum in recent years.

No former public servants are known to be involved in providing these minor services.

IRRIGATION, METERED SUPPLIES

26. **Mr HILL:** What percentage of irrigated properties have metered water supplies, what will be the cost to complete the metering and what plans to achieve this?

The Hon. M.K. BRINDAL: The total number of current water licences is approx 7500 across South Australia and approx 3700 of these licences are metered.

The average cost of meter and installation can vary depending on the location due to larger meters being used for the River Murray and South East where licensees have larger allocations. The average cost would be up to $1500 per meter, depending on the size and location.

The State Water Plan states:

The government will, by 2005, have converted all water allocations to a volumetric basis and all water use will be measured so that the Department for Water Resources can determine the annual amount of water taken.

ARTESIAN BORES

27. **Mr HILL:** How many capped artesian bores are there, how many remain uncapped, what will be the cost to complete the capping, what plans are there to achieve this and how much water is lost annually from uncapped bores?

The Hon. M.K. BRINDAL: There are two regions in the state, the South-East confined aquifer and the Great Artesian Basin where artesian flows occur. Programs are in place in both regions to address the issue of uncontrolled flows.

Great Artesian Basin

Total number of artesian wells	296
Controlled	235
Uncontrolled	36

Of the 36 uncontrolled wells, 24 will require rehabilitation work as a priority. The remainder have only very small flows which occur only when the windmill is turned off. Total flow from the uncontrolled wells is approximately 14 500 megalitres per annum.

It is planned to complete the rehabilitation program over the next 4 to 5 years. Estimated cost is $1 400 000.

It is estimated that approximately 38 000 megalitres per annum have been saved to date under the rehabilitation program.

South East Confined Aquifer

The total number of artesian wells is 270. The current number of poorly constructed wells is 115. The rehabilitation program is in progress and will continue over the next nine years. This will save an estimated 2 500 megalitres per annum. The total estimated cost is $5 500 000 which is higher than the original estimate of $4 500 000. This increase results mainly from a refinement of the costs to drill replacement wells following receipt of quotations from drilling contractors to establish benchmark costs, and the cost of PIRSA's administration of the grants and loans scheme associated with the project. The latter cost was not included originally. The project funding covers this increase. It is expected that rehabilitation works will commence in the first quarter of 2001.

There are also a number of controlled artesian wells in the Tintinara district which are used predominantly for stock and domestic purposes.

BAROSSA VALLEY PIPELINE

30. **Mr HILL:** What are the details of the recently announced pipeline that will provide water from the Murray River to the new Barossa Valley viticulture development and for what purpose was this water used prior to this announcement?

The Hon. M.K. BRINDAL: The Barossa Infrastructure Limited is a consortium of several large wine companies and grape growers in the Barossa region. The consortium has recently obtained development approval to construct a privately funded pipeline infrastructure project to provide River Murray water to the Barossa for regional economic development.

The consortium will purchase water from the River Murray tradeable water rights market, which will be delivered to the project infrastructure via SA Water infrastructure in a commercial arrangement.

The project aims to deliver water on demand, to the Barossa at a rate of 5 000 to 7 000 megalitres per year.

The consortium will require a water license and an allocation obtained by either temporary or permanent transfers in order to divert water from the River Murray.

The consortium has commissioned an environmental assessment review, which considered the impact of importing water into the Barossa. The Department for Water Resources (DWR) has provided comments on the report and is currently negotiating with BIL on requirements for monitoring and reporting as part of the license and permit approval process.

GAMBLING

65. **Ms THOMPSON:** What services are available in South Australia for the treatment and support for sufferers of all forms of gambling addiction, what services are available to their families and how are these services funded?

The Hon. DEAN BROWN: Therapeutic, personal and financial counselling services are available to problem gamblers suffering from all forms of gambling addiction, to assist with their rehabilitation. These services are offered through a network of non-government agencies located across the state known as BreakEven services.

Specialist services are also funded and offered on a statewide basis to culturally and linguistically diverse communities.

- Nunkuwarrin Yunti Health Service offers problem gambling services to Aboriginal communities; and
- Other culturally and linguistically diverse communities can access services through the Overseas Chinese Association, Vietnamese Community in Australia, Cambodian Australian Association and Wesley Uniting Mission.

The Flinders Medical Centre Anxiety Disorders Unit provides a rehabilitation program for problem gamblers using a behaviour change approach and referrals are accepted from across the state.

BreakEven services offer personal, relationship and financial counselling to the family and close friends of problem gamblers. Culturally specific services and the Gambling Helpline are also available to the families of problem gamblers.

Community education programs and research are also supported by the Gamblers' Rehabilitation Fund in addition to problem gambling services. The recent launch of a media campaign provides messages to the community through TV and print advertising about the issue of problem gambling and encourages those affected to seek help.

All services are funded out of the Gamblers' Rehabilitation Fund. This fund provides $2 million per annum consisting of $1.5 million voluntarily contributed by the Australian Hotels Association and Licensed Clubs of South Australia and a $500 000 contribution from general revenue.