HOUSE OF ASSEMBLY

Wednesday 25 July 2001

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

DENTAL SERVICES, FUNDING

A petition signed by 20 residents of South Australia, requesting that the House urge the government to fund dental services to ensure the timely treatment of patients, was presented by Ms Rankine.

Petition received.

FIREWORKS

A petition signed by 40 residents of South Australia, requesting that the House ban the personal use of fireworks with the exception of authorised public displays, was presented by Ms Rankine.

Petition received.

GOLDEN GROVE ROAD

A petition signed by 14 residents of South Australia, requesting that the House urge the government to consult with the local community and consider projected traffic flows when assessing the need to upgrade Golden Grove Road, was presented by Ms Rankine.

Petition received.

RADIOACTIVE WASTE

A petition signed by 28 residents of South Australia, requesting that the House prohibit the establishment of a national intermediate or high level radioactive waste storage facility in South Australia, was presented by Ms Rankine.

Petition received.

TEA TREE GULLY POLICE

A petition signed by 47 residents of South Australia, requesting that the House urge the government to establish a police patrol base to service the Tea Tree Gully area, was presented by Ms Rankine.

Petition received.

MURRAY RIVER BILL

A petition signed by 18 residents of South Australia, requesting that the House support a River Murray bill for the purpose of the rehabilitation and control of the river, was presented by Ms Rankine.

Petition received.

UNIVERSITY OF SOUTH AUSTRALIA SALISBURY CAMPUS

A petition signed by 108 residents of South Australia, requesting that the House ensure the Salisbury campus of the University of South Australia be rezoned mixed-use, was presented by Ms Rankine.

Petition received.

AUDITOR-GENERAL'S REPORT: HINDMARSH SOCCER STADIUM REDEVELOPMENT PROJECT

The SPEAKER laid on the table the interim report of the Auditor-General on the Hindmarsh Soccer Stadium redevelopment project.

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

That the report be published.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the 26th report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

FESTIVAL OF ARTS

Mr FOLEY (Hart): My question is directed to the Premier. How soon after the arts minister, the Hon. Diana Laidlaw, in another House, was informed of the $1.15 million loss of the 2000 Adelaide Festival of Arts was the Premier informed of these losses, and when was cabinet informed? In the Economic and Finance Committee this morning, the arts minister, the Hon. Diana Laidlaw, said that she was first informed in December last year that the festival would incur losses. The arts minister said that she was made aware of the full extent of these losses by the then board chairman, Mr Ed Tweddell in a 7.15 a.m. telephone call on 21 February this year.

The Hon. J.W. OLSEN (Premier): Relying on my memory, my understanding and recollection is that the minister advised her colleagues that there was an issue related to funding (the exact time of that I cannot recall) and that she was looking at ways to undertake the funding through her own portfolio—and that is what the minister did. As I understand the circumstances, she was advised of the funding shortfall; she then said that she would attempt to manage that within her portfolio, and I understand that she has done so.

CANNABIS

Mr HAMILTON-SMITH (Waite): Would the Premier outline the government's plans to combat trafficking in cannabis within the state?

The Hon. J.W. OLSEN (Premier): The hydroponic cultivation of cannabis in South Australia will be made a criminal offence under sweeping changes to the state's drug laws. The number of outdoor cannabis plants that can be grown without facing criminal conviction will be reduced from three to one, with the expiation notice increasing from $150 to $250. Currently, the law allows for the cultivation of three cannabis plants, either hydroponically or outdoors, without facing criminal conviction. I have also announced a review to consider the introduction of a licensing system for the retailers of hydroponic equipment.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The production of cannabis hydroponically is now the most common method of cultiva-

tion in South Australia, allowing growers to produce up to four drug crops a year. In speaking to the police today, they indicated to me that it is possible to actually produce five crops per year. In the first four months of this year, South Australia Police detected 149 hydroponic cannabis crops, resulting in the seizure of almost 1 600 cannabis plants and over 86 kilograms of dried or drying cannabis.

Growing four and perhaps five crops a year, 12 plants a year or up to 15 or 16 plants a year, can only be regarded as growing commercial quantities for drug trafficking—nothing more and nothing less. Hydroponic drug crops have become a major revenue earner for organised crime and have resulted in South Australia's becoming a major supplier of the drug to interstate markets. The cannabis is often traded for heavier drugs, which are then transported back into South Australia. It is the trafficking of the drugs, in particular, that we want to target.

The SPEAKER: Order! I ask the member for Lee please to move off the carpet.

The Hon. J.W. OLSEN: Increasingly, we are seeing assaults, violence and home invasions associated with hydroponic crops, and that is clearly unacceptable. South Australia now has 96 hydroponic equipment supply stores, which is the highest number per head of population in the country. This has increased dramatically from an estimated 10 stores in 1992. While there is no suggestion that all those stores are engaged in illegal activity, police estimate that up to 90 per cent of customers of hydroponic stores grow cannabis either for their own use or for the criminal network.

South Australia has a longstanding reputation for being tolerant in relation to cannabis for private use, but the trafficking of drugs is a destructive blight on our community and, in many cases, is causing irreparable damage to families and individuals. We do not want to accept that South Australia has developed a reputation as the cannabis capital of Australia. It is something that I reject and would want to put to one side.

We have seen in recent times something like, in the last 18 months to two years, four deaths, 60 home invasions and 40 assaults; and if anybody wants a graphic description of the effects of this insidious trade on our community, one only has to read the account in today's paper, where a 14-year old was shot in the groin in an incident related to cannabis and the drug trade in our state. It is those areas that simply have to be tackled. We will tackle that and we are taking steps to do that.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: Unlike the Labor Party, we are not soft on drugs and it is interesting that the opposition has skirted this issue—

Members interjecting:

The SPEAKER: Order! I warn the member for Hart for disrupting the House. The Premier.

The Hon. J.W. OLSEN: It is interesting that those opposite and the leader have skirted this issue for some time now. As on most issues, Labor does not have a policy. It is trying to creep into office without telling South Australians what it stands for. Is it going to be supportive of stamping out drug trafficking in our state, or is it going to sit on the sidelines watching the wheels go around? What we need and deserve is a policy from the opposition on this issue.

This issue will now come back eventually to the parliament and this will be a test of all members of parliament in relation to drug trafficking within our community. Importantly, we have brought down the issue, and a policy and an approach, and I would hope that the parliament would support us because what we are attempting to do is stamp out the trafficking of drugs and stamp out the range of bag snatching, home invasions and other robberies, which, in many instances, are designed to feed the drug habits of individuals within our community. I accept and acknowledge that there is no one single solution to the range of issues related to drugs in our community: it is a matter of education, it is a matter of rehabilitation, it is law enforcement. There are a range of measures that have to be, in a complementary sense, put in place. This is one step in the right direction for tackling what is the most insidious of all trades within our community—drug trafficking.

Members interjecting:

The SPEAKER: Order! The honourable member for Hart.

ADELAIDE FESTIVAL CENTRE TRUST

Mr FOLEY (Hart): My question is to the Premier of a crooked government. Does the Premier—

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: Read that! Read that!

Members interjecting:

The SPEAKER: Order! The member for Hart will come to his question or I will withdraw leave.

Mr FOLEY: My question is directed to the Premier and it is about cover-ups. Does the Premier believe it is acceptable for the arts minister, or any of his cabinet ministers, to cover up information about losses incurred by a government body in order to present a false picture to the public of that body? The arts minister, the Hon. Diana Laidlaw—

The Hon. D.C. Kotz interjecting:

Mr FOLEY: Read that and you will know about cover-ups. The arts minister, in giving evidence to the Economic and Finance Committee today, admitted that information has been withheld from the public about the losses of the Adelaide Festival. The minister said that she was keeping the information hidden in order to fix the problem. You like to keep information hidden, don't you John?

The SPEAKER: Order! The honourable Premier.

The Hon. J.W. OLSEN (Premier): This question is very similar to the first question asked of me by the member for Hart. I repeat that the Minister for the Arts did identify to her colleagues that she was having difficulty with the funding of the festival, and that she would implement measures within her portfolio—specifically, as I understand it, the arts budget—to correct that. I understand that the minister, in fact, informed the Economic and Finance Committee of that matter this morning. The member for Hart, I presume, would have been at that meeting this morning.

Mr Foley: Yes, I was.

The Hon. J.W. OLSEN: If he was at the meeting this morning, why is he then asking me these questions in the House today, having already asked the minister this morning in the Economic and Finance Committee?

MURRAY RIVER

Mr VENNING (Schubert): Will the Minister for Water Resources inform the House of the steps being taken to ensure that the health of the Murray River is safeguarded for future South Australians?

Mr Lewis interjecting:

The Hon. M.K. BRINDAL (Minister for Water Resources): I certainly can—and I wonder why the member for Hammond is interjecting and saying, 'That's disgusting.' I wish to—

Mr Lewis: If you're going to grandstand—

The SPEAKER: Order, the member for Hammond!

The Hon. M.K. BRINDAL: I will accept an apology from the member for Hammond, because I want to talk about the new River Murray Catchment Management Board. If he attributes the same type of motivation to others that he is guilty of himself, he stands accused by his own words.

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

The Hon. M.K. BRINDAL: I wish to say rather succinctly that South Australia is doing as much as it can to ensure that the Murray River is prominent in the public's consciousness, and is working hard to safeguard the river's future on a number of fronts. Today the Premier was in Melbourne, where he called for all states within the Murray-Darling Basin—Queensland, South Australia, New South Wales, Victoria and, of course, the ACT—to commit to saving the Murray through a 20 year plan.

Last month, South Australia became the first state to commit to a seven year program to help save the Murray by signing a bilateral agreement with the commonwealth. Our state will spend $100 million over seven years under that agreement. Also last month our state released its River Murray Salinity Strategy, which lays out a 15 year strategy to combat salinity in South Australia's portion of the river. The strategy sets out the battle plan for an ongoing war against salinity; that is, keeping the levels at Morgan below 800 EC for 95 per cent of the time, arresting flood plain decline and our state accepting its responsibility for salt contributions.

Later this afternoon (as the member for Hammond has alluded to), the Select Committee on the River Murray will table in this chamber its final report. That report contains over 90 recommendations which will be considered by the government. I certainly do not wish to steal the thunder from those who contributed to the report or pre-empt what members might say on the matter. But I do wish briefly to address the expansion of the boundaries (which previously has been announced) and the formation of the new board.

The expansion of the boundaries has more than doubled the area for which the board was responsible, that area currently being some 5.7 million hectares. I also announced that I would revoke the proclamation of the board to enable new nominations to be received for membership on the expanded body. A total of 47 nominations for the new board were received. Last week, the Governor approved a new eight member board, which draws upon the large range of skills and expertise from a diverse group of people living throughout the catchment. The new board includes people experienced in dry land farming, local government, irrigation, dairying, local action planning groups and even a former cabinet minister, the Hon. Peter Arnold. The board will be headed by Mr Jeff Parish, who is currently the Chief Executive Officer of the Central Irrigation Trust, and who is highly skilled and experienced in water resource management matters. One of the first tasks of the new board will be to finalise its proposed draft catchment water management plan. Importantly, however, the new board will act as a vehicle for implementing and assisting the policies of Murray River salinity.

In conclusion, I commend to the House the fact that the report of the Murray River select committee will be handed down this afternoon and I draw to members' attention the fact that they might be interested in the contribution of all members.

SAMAG PLANT

The Hon. M.D. RANN (Leader of the Opposition): Given its importance to South Australia and Port Pirie, will the Premier now give his support to the establishment of an industrial park with appropriate infrastructure—seven kilometres from Port Pirie—to help secure the $700 million SAMAG plant and to promote collocation of other associated industries in the region? The SAMAG magnesium project would create 500 jobs in the construction phase and another 500 jobs in the long term.

The creation of an industrial park, with enterprise zone status around the proposed SAMAG plant, could attract other companies and associated industries, such as die-casting, magnesite processing, fertiliser and pharmaceutical production, mineral sands and the dry processing of concentrates. The magnesium plant, of course, would also be a boost to the car and other local industries which increasingly favour magnesium as a lighter material.

The Hon. J.W. OLSEN (Premier): This is an important project for us to attempt to win for South Australia. Over the past couple of years a lot of energy has been put in to try to secure the project for our state. I remember that, in the early piece, an alternative gas source was a key factor. We spent 18 months or two years, I think, looking at ensuring that we had an alternative gas source into South Australia to underpin SAMAG's investment prospect for our state.

Initially, to get that project moving, the government was prepared to undertake some underwriting of that gas line. I am pleased to say that the project, having been looked at by a number of proponents, has meant that the funding of the gas pipeline from Melbourne into Adelaide will now be undertaken solely by the private sector.

Facilitating that—that is, a number of consortium members—and then looking at the quantity of gas that would be shipped from Melbourne into South Australia underpins a competitive alternative gas source that would create the opportunity for SAMAG to have a fuel source to undertake the project in our state.

We have also supported an application for AusIndustry funding. Importantly, I note, the proponents have looked at an alternative location overseas which, I would hope, would bring a close scrutiny by the commonwealth government to look at Australian industry incentives in order to make sure that these projects are kept onshore rather than going offshore.

We have assisted the project and, if my memory serves me correctly, we have given environmental approval for this project, and that was a few weeks ago. Hopefully, with environmental approval being put in place, it will now enable the proponents in their application to the federal government to get additional industry incentives from the various commonwealth government programs. That being the case, I think that we should be well placed to attract that project here.

I note with some interest that the AENC proposal for Queensland was unable, as of Friday last, to secure the financial package in time to underpin that particular project. I will be seeking some advice shortly as to what the implica-

tions mean for us and our project if the Queensland project does not proceed. Importantly, this creates a significant opportunity for us; and, as the leader points out, it would create employment, investment and economic activity in a region that would surely want that.

I can assure the leader that we have worked particularly hard to bring about a positive result. However, major projects such as this, with funding investments of the order of about $700 million, mean that many other forces come into play. We can do only so much and what we have attempted to do is address, as I said, the gas pipeline, the fuel source; to look at the environmental sign-offs in relation to the project; and to take up the matter at a commonwealth level to get funding for it. I note that the commonwealth government did put in place financial support for the AMC proposal in Queensland. That having been put in place for Queensland, I hope that a proposal of this nature for South Australia would get equivalent support—and that is what we are attempting to achieve.

Finally, in response to the leader's question, be assured that this project has been focused on very closely by the local member, the Deputy Premier, and the member for Stuart, and also I can give a commitment that we will continue to focus on this project to try to bring it to fruition for South Australia's economic future.

ADELAIDE AIRPORT

Mr CONDOUS (Colton): Can the Premier inform the House on progress regarding the proposed new multiuser, integrated terminal for the Adelaide Airport that the Labor Party could never deliver?

The Hon. J.W. OLSEN (Premier): I would be delighted to respond to the member's question. It has been a project that has been difficult to deliver. For all of a year now we seemingly have been about two weeks away from finalising the deal. However, I am now pleased to say that it seems that a significant breakthrough has occurred. The sticking point has always been getting the three airlines to agree to terms. They are now publicly committed not just to the project but to signing off on it in the next few days: I think Virgin is in Adelaide today to sign the agreement; I understand that I have an appointment with Mr Toomey, Ansett's MD, on Thursday week to sign; and we have the announcement that Qantas has physically signed—and I made a phone call to ensure that the signature was on the document—the PFC part of the agreement. That is a significant breakthrough in the next step. Underpinning agreements still have to be worked through and signed, so other aspects still have to be finalised, but that PFC agreement is the key component of moving this project forward. I can assure the House that we will not rest until all the papers are signed, all the questions are answered and work is actually under way. I indicate to the House that I am confident that work should now start on site before Christmas.

This is another piece of crucial infrastructure for our state. It will immediately see some $220 million spent in our economy in the next three years. The annual economic boost to our economy could be towards something like $500 million. It is another driver for growth, for jobs and for opportunities for our state. It will underpin the growth that we are seeing in our tourism and hospitality industry—a very significant employer in our state—and that will continue to expand. As a government, we are enormously proud of a number of key projects that we have been able to deliver for this state. South Australians, in addition, are proud of the projects that they have built, that they have been involved in building and that they are now enjoying.

It is fair to say that none of these projects is easy. They are projects you cannot put online in a year or two years—as we have seen with the airport terminal. I have had some personal involvement in that now for 5½ years. If you do not hang in and if you do not show determination and perseverance in these projects, you do not get there at the end of the day. It does not matter whether they are funded by government, the private sector or a combination of both. They require hard work to facilitate, a lot of careful negotiation and, as I have mentioned, certainly a lot of perseverance to see them through.

Our perseverance on the airport will end what I have often termed in this House the embarrassment of the two tin sheds that masquerade as an airport terminal. It will end the inconvenience of scampering across the tarmac in the rain, the heat or the wind. It will end the humiliation for disabled or elderly people who are offered a forklift to deplane in Adelaide.

I was coming back from Melbourne on one occasion and putting my boarding pass through the ticketing machine when the flight attendant asked the person in front of me who was having difficulty walking whether they would require a forklift to deplane in Adelaide. The perception of that is just appalling. Another scenario is that you get back to Adelaide and you have two briefcases and it is raining: when you get to the bottom of the steps they say, 'Would you like an umbrella?' If you have two briefcases the umbrella is not a lot of good to you to do a dash to the airport terminal. Or, if you are not fast, the sou'westerly breeze coming in with rain is not a lot of good to you, either. We need to provide a modern, efficient and convenient gateway to our city for tourists and visitors. I can recall the President of Saab coming out recently to invest in a new facility here, and getting off the aircraft and seeing what is there does not reflect or present what South Australia really is.

I notice that members opposite say they support the airport project. I welcome that. I noticed the interjections that came previously. I noticed that, when Bob Collins was the federal Labor minister and we had a state Labor government, despite two Labor governments he was able to get Darwin, Alice Springs and Cairns fixed, but nothing done in Adelaide. During that period of state and federal Labor when there was an opportunity to ratchet up and get our airport terminal, nothing happened. Nothing was delivered for our state; there was lip service in that area as well as lip service for commuters in the southern suburbs and the Adelaide hills. They like to say they are bipartisan in supporting the projects we are now delivering, but when they were in government none of these projects ever got near the delivery or implementation stages.

Let us just take a snapshot of what one or two—or five or six—of them might be: the Adelaide-Darwin railway, the Southern Expressway, the Crafers highway and the tunnels, the Convention Centre, the National Wine Centre, the Berri bridge, the Hindmarsh Island bridge, Holdfast Shores and Mount Lofty Summit. The list goes on of projects put in place and delivered for South Australia's benefit and future. Along with all these developments, the airport project demonstrates how South Australia is in the best shape it has been in for more than a decade.

HINDMARSH SOCCER STADIUM

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier name the ministers or members of his government who have been deliberately frustrating the completion of the Auditor-General's Report into the Hindmarsh Soccer Stadium; and will he name the members of his government who have threatened to take legal action against the Auditor-General to prevent his tabling his long awaited report? In an extraordinary and unprecedented interim report—

The SPEAKER: Order! The member is now commenting. Do you want to explain your question?

The Hon. M.D. RANN: Yes, sir; I seek your leave to explain the question. In an extraordinary and unprecedented interim report tabled a few minutes ago—

The SPEAKER: The member is commenting.

The Hon. M.D. RANN: —the Auditor-General has reported that he has encountered substantial delays in the natural justice process, which means that he is now unlikely to be able to complete his report in time for the spring session of parliament later this year. The Auditor-General has said that on 19 February this year he distributed for the purposes of procedural fairness portions of his draft report, which he has now finalised, containing tentative factual findings. The Auditor-General says that one person has provided submissions on a rolling basis since 5 July and he has received 10 separate submissions from that person. The Auditor-General says:

> I have made repeated requests for a final submission. I have received no comment as to when that will be provided.

The Auditor-General has rejected a submission to excise key chapters in his report. He has now been threatened with legal action as a form of cover-up to prevent his bringing down his final report, even when parliament resumes later this year and before the election. The Premier would be aware that the Auditor-General is an independent officer of parliament with judicial status.

The SPEAKER: Order! The member is now commenting.

The Hon. M.D. RANN: Who is frustrating—

The SPEAKER: Order!

The Hon. M.D. RANN: —the Auditor-General—

The SPEAKER: Order!

The Hon. M.D. RANN: —in fulfilling his duties to this parliament?

The SPEAKER: Order! I withdraw leave. The leader will resume his seat. The honourable the Premier.

Members interjecting:

The SPEAKER: Order!

Mr Scalzi interjecting:

The SPEAKER: Order, the member for Hartley! The honourable the Premier.

The Hon. J.W. OLSEN (Premier): Mr Speaker—

Mr Foley interjecting:

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

The Hon. M.K. Brindal interjecting:

The SPEAKER: I warn the Minister for Water Resources.

The Hon. M.K. Brindal interjecting:

The SPEAKER: Careful! I caution the Minister for Water Resources.

The Hon. J.W. OLSEN: I treat the question as a serious one, and I trust that the member for Hart would give me the opportunity to respond. This report was tabled 30 minutes ago and I have been on my feet answering questions for the best part of that.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: Mr Speaker, I will start again. This report was tabled—

Mr Conlon interjecting:

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

The Hon. J.W. OLSEN: I have got to three paragraphs on page 1. Mr Speaker—

Members interjecting:

The SPEAKER: I warn the member for Mitchell.

The Hon. M.D. Rann interjecting:

The SPEAKER: And I warn the Leader of the Opposition.

The Hon. G.M. Gunn: Why don't you do something about the—

The SPEAKER: And the member for Stuart!

Members interjecting:

The Hon. J.W. OLSEN: Mr Speaker, might I—

The SPEAKER: No, you may not. I just caution members. A sensitive issue has been raised here. If members want to stay for the rest of the afternoon, I suggest that they keep quiet. That applies to both sides. The honourable the Premier.

The Hon. J.W. OLSEN: I will treat the question with the seriousness that it deserves. The Auditor-General's report was tabled at 2 o'clock today. In question time, I have been responding to questions. I will give consideration to the matters contained in the report—proper and appropriate consideration—and I am prepared to commit to come back to the House before we rise today and respond to the report that has been tabled.

GAMBLING

Mr SCALZI (Hartley): My question is directed to the Minister for Human Services.

Members interjecting:

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

Members interjecting:

The SPEAKER: Order! If he keeps waving that item around on display, I will name the member instantly. The member for Hartley.

Mr SCALZI: I am glad that the member for Mitchell—

The SPEAKER: Order! The member for Hartley will get to his question.

Mr SCALZI: Will the Minister for Human Services advise the House about the results of the government's report on gambling and some of the measures that the state government is taking to deal with problem gambling?

The Hon. DEAN BROWN (Minister for Human Services): The Department of Human Services has carried out at my instruction a very detailed survey of gambling problems within South Australia. The survey itself covered over 6 000 people, so it was extremely comprehensive. The survey found that about three-quarters of South Australian adults in fact gamble at some stage. The most frequent form of gambling is through lotto and gambling games.

However, the survey found that approximately 2 per cent of South Australian adults have a major gambling problem as formally defined. That is the area that concerns me. The large number of other people who gamble on an interim basis and who do not have a problem are not of major concern. However, with 2 per cent of adults with a gambling problem,

that means that 22 000 South Australians have a serious gambling problem.

The survey also found that most of those people with a gambling problem have other problems. They have social problems, such as the fact that they are unemployed. Invariably, they are single people in a single relationship and, surprisingly, they are younger. We also know from the survey that they invariably have other problems, including health problems. They have poor or below average health and in many cases have mental health problems.

My concern is in terms of what can be done for those 22 000 people with that serious gambling problem. The survey showed that there is a very high recognition of the services available, particularly Gamblers Anonymous, Pokies Anonymous, and the Gambling Help Line. So, the advertising is clearly getting through. However, only 7 per cent of people with a gambling problem saw or felt the need to seek counselling assistance for the problem that they have. So, this gambling problem needs to be combated in a different way and we need to make sure that people with a gambling problem are actively encouraged and assisted in taking up appropriate counselling, because, clearly, without that assistance the gambling problem will continue to exist for those people and others who become addicted.

I was particularly concerned to see from the survey that the number of people with suicidal tendencies was three times higher in the select group of problem gamblers. That is an extremely high level and, in fact, 25 per cent with suicidal tendencies had that tendency because of their gambling problem. The results show what we have suspected for some time: problem gamblers have a range of other problems as well, particularly health and social problems, and they need strong support indeed. The survey found that the financial cost to problem gamblers is extremely high. As a result of that survey, it is my intention to ask for a review of the BreakEven agency services and particularly the way we approach and make available those services to individuals. We need to ensure that problem gamblers are identified at an early stage—invariably, that can be done through their own GP—and that they are then actively encouraged to take up the support available to them from the gambling services.

I am aware that this parliament, with the strong support of the government, has already introduced a two-year cap on poker machines, and I am aware that the parliament has introduced a range of other measures. I believe that a number of those measures will go some way towards trying to reduce the gambling problems that exist. Clearly, there is a group of people who are unable to help themselves because of a range of other disadvantages that they have in life and they are the people we need to work with very closely indeed in terms of their gambling problems. So, I assure the House that as a result of the survey we will be ensuring that we try to target those people more effectively in a more proactive way so that they can receive the counselling they badly need.

PARLIAMENT, SITTING

The Hon. M.D. RANN (Leader of the Opposition): My question is again directed to the Premier. Will the Premier agree to extend the current sitting of parliament past tomorrow, until both Houses of this parliament can pass the special legislation asked for by the Auditor-General this afternoon in his interim report outlining attempts by two of his ministers to block the Auditor's inquiry into the Hindmarsh Soccer Stadium fiasco, and will he dismiss any minister or other office holder who is deliberately frustrating the Auditor-General in fulfilling his duties?

In his report, Mr MacPherson has indicated that it is now necessary for parliament to legislate to allow him to deliver his report; effectively, to legislate to prevent him being gagged. The House is due to rise tomorrow and may not sit again if an election is called for October when it is due. Will the Premier agree to extend the sitting or does he need to be forced to?

Members interjecting:

The SPEAKER: Order! The members to my right will remain silent.

The Hon. J.W. OLSEN (Premier): I would ask the leader not to reinterpret what the Auditor-General has said in his report today.

Members interjecting:

The Hon. J.W. OLSEN: No; we have become accustomed to the re-presentation of circumstances in fact. I have indicated to the House that I will come back and address the question you have raised with me in this question when I respond to the House today.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

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

RADIOACTIVE WASTE

The Hon. G.M. GUNN (Stuart): I direct my question to the Minister for Environment and Heritage. Can the minister advise the House on the government's response to proposals for legislation to prohibit the medium level nuclear waste dump in the north of South Australia?

The Hon. I.F. EVANS (Minister for Environment and Heritage): I have had to smile on the last few Sundays, when the Leader of the Opposition has obviously discovered that Sunday is photocopier day and that is the day that you get out and release repeats of old policies or old press releases. I was particularly amused in mid-July when the Leader of the Opposition reannounced the Labor Party's supposed position in relation to a medium to high level radioactive waste dump in South Australia where he said he had a plan at last; a plan to stop, somehow, South Australia's becoming a site for a medium to high level nuclear waste dump.

I notice in his press release—I could not help but notice—that the Leader of the Opposition gives credit to the government for already introducing legislation to achieve that very aim. So, he gets his photocopier out and goes out and says that he has this master plan, and at the bottom of the press release, tucked away in the corner, it says that the South Australian parliament has already passed state laws to block such a dump being set up in this state. The leader recognises the fact that the parliament has already acted on the matter but it is interesting that, as we head towards a state election in March next year, the re-run of the old press releases has started.

Then he talks about the need to have a referendum and, of course, we had that debate on the legislation when it was before this House. The member for Kaurna, in his role as the shadow minister, rushed in legislation, trying to get the political agenda, but forgot to put in his initial legislation the need for a referendum. When the government did not support the need for a referendum, the Leader of the Opposition puts out a press release that says that, if the Olsen government had

been serious in its opposition to the nuclear dump, it would have supported the need for a referendum. So, I put it to the Leader of the Opposition that, if he accuses us of not being serious because we did not want a referendum, then, ultimately, what he is doing is criticising his own shadow spokesman because he, when he introduced his own legislation, did not see the need to have a referendum at that point.

The Leader of the Opposition says that, if Labor is fortunate enough to win government after the next election, on the first day back it will race into parliament and move this master plan to somehow address this nuclear waste issue, which the leader admits the parliament has already addressed; and he suggests that a referendum would somehow stop any federal government, whether it be Labor or Liberal, from putting in a nuclear waste dump.

We argue that a referendum will cost $5 million to $10 million and that, if you have an extra $5 million or $10 million to spend—rather than spend it on a referendum when you already know the answer to the question, the parliament has already debated the issue, and every poll indicates that South Australians are greatly opposed to it—that money should go towards health, education or some other higher priority. But not the Labor Party—it has sat there for seven years talking about the spending priorities of this government—

Mr Hill interjecting:

The Hon. I.F. EVANS: It was not even a priority when you brought your legislation in, and now all of a sudden it becomes a priority. What is happening here is that Labor is just photocopying, re-running its old press releases and trying to rework a policy, and this is just a classic example of the fact that the Labor Party does not have any policies: it simply has a photocopier.

HINDMARSH SOCCER STADIUM

The Hon. M.D. RANN (Leader of the Opposition): My question is again directed to the Premier. Will he make a commitment to this House today, when he reports to parliament, to dismiss any minister or government office holder who is deliberately frustrating the independent Auditor-General in his inquiry into the Hindmarsh stadium fiasco?

The Hon. J.W. OLSEN (Premier): Here goes the leader! He is now going to interpret a whole set of scenarios and ask a question on every scenario. Well, I am not going to do that. We are going to take a very calculated, calm and deliberate—

Members interjecting:

The Hon. J.W. OLSEN: There you go again. The leader again seizes on a word to try and reinterpret. What I want to do, as I have said to the House, and let me repeat, is that, when I have an opportunity to read this report uninterrupted, I intend to do so as soon as question time is over. This is an issue that needs to be addressed, and I will address it. And I have indicated to the leader that I will not speculate on a whole range of hypotheticals. I will look at the report, give it due consideration and respond to the House today. In addition, I will address components of the leader's question as it relates to the sitting schedule.

EDUCATION, RURAL INITIATIVES

Mrs PENFOLD (Flinders): Will the Minister for Education and Children's Services provide details of any initiatives that the South Australian government is putting in place to meet the needs of children residing in the rural and isolated areas of our state?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): This week, the national conference of the Isolated Children's Parents Association will be held here in Adelaide. The conference is a very important forum to communicate the needs and the views of families that live in our very remote rural areas around Australia. The Year of the Outback is approaching, and it is even more timely that we look closely at ways in which the community can support rural parents and, in particular, the students. The conference is, of course, also a good opportunity for South Australia to show the excellent facilities and the programs that we have for our isolated students, and also those which assist students and parents in remote areas.

The government places great importance on ensuring that all children in this state receive the education that they deserve, regardless of where they happen to live. We have developed a very strong working relationship with the Isolated Children's Parents Association and with that council. I recently attended the association's annual conference in Woomera, and I announced a number of innovations to improve the education and training available to remote and isolated students in South Australia.

The government is establishing a rural education forum to give rural communities the opportunity to take a more active role in the development of education programs in their districts. Further, we are developing a scheme to support the employment and training of home supervisors of remote children. We are extending the state education allowance to year seven students to give them better opportunities, and we are introducing a computer subsidy program to enable remote and isolated children to have access to computers and software at a subsidised rate.

These latest initiatives build on many programs which are already in place and which are benefiting our isolated students. As members of the House would know, the sa.edu project, which placed the internet in the hands of schools right throughout South Australia via the broad banding of cabling to all our schools (and, in four areas via satellite connection to the internet), has made a massive difference to the speed at which our students can access the internet, and also its availability. This has brought praise not only from interstate education authorities but also from international authorities to whom we speak.

Indeed, this program has been so successful that the school at Tarlee (which is a town that many members would know in our Mid North) has, in fact, switched off its fax machine and all communication between parents, the education department and students is now undertaken by email. So, they are at leading edge, certainly, in their communication.

I know that South Australia is ahead of many other nations, particularly the United States of America and also isolated students in Britain and Scotland, because of this technology and because of the other innovative programs that we have here in South Australia. South Australians can be very proud of the ongoing commitment to improve the education of our children in the state's remotest areas, and I am very pleased that the South Australian chapter of the Isolated Children's Parents Association is the convenor of the national conference. We can look at ideas that other states are initiating, take them on board and, if they are ideas we can use, certainly improve our delivery and also take on increased provision of education to remote South Australians.

HINDMARSH SOCCER STADIUM

Mr FOLEY (Hart): My question is directed to the Minister for Tourism. Is the minister one of the people that the Auditor-General—

The SPEAKER: Order! There is a point of order.

Members interjecting:

The SPEAKER: Order! There is a point of order here.

Members interjecting:

The Hon. R.G. KERIN: The member for Hart should be totally aware that those ministers and members who have appeared before the Auditor-General have had to sign confidentiality statements. That confidentiality agreement also covers this place, so the question is out of order.

Members interjecting:

The SPEAKER: Order! I am sure that, if any commitments were made, the minister can take that into account in giving her reply. In actual fact, the honourable member has not even asked his question, although we presume that the question will refer to the document that was tabled here earlier today. But the Minister for Tourism has—

Members interjecting:

The SPEAKER: I suggest that members listen to this. The Minister for Tourism is not the minister responsible for most of what the honourable member will ask: the Deputy Premier has responsibility for it. I will listen very carefully to the wording of the question but the minister must also bear in mind commitments that were made to the Auditor-General. The member for Hart.

Mr FOLEY: Prior to asking the question, sir, I can give you an assurance that my question is not about the content of the report. My question is directed to the Minister for Tourism. Is the minister one of the people the Auditor-General has identified as frustrating the completion of his report into the Hindmarsh Soccer Stadium fiasco? Has the minister threatened the Auditor-General with legal action or is it the member for Bragg, the cabinet secretary?

The SPEAKER: I call the Minister for Tourism to answer only that part of the question that is applicable to her. The Minister for Tourism

The Hon. J. HALL (Minister for Tourism): On 17 May I gave a personal explanation to this chamber about an allegation made by the member for Lee which concerned the Hindmarsh Soccer Stadium. I absolutely rejected the allegation then and I refer the member for Hart to that response. However, like the member for Hart, I have been reading the Auditor-General's interim report today and I understand that I am still bound by the undertaking I have given him. However, I would point out one aspect of the report, on page 1, where the Auditor-General indicates that the timetable envisaged receipt of all comments by 19 June 2001. He then talks about various individuals pursuing their private interests in requiring more time to respond.

I put on the record that if that statement relates to me I can say that, yes, we were asked to submit our response by 19 June. I would contest that 'private interests' do not cover a trip to the United States—for which the opposition supported me in granting a pair—in our bid for hosting the World Police and Fire Games. My legal advisers—

Members interjecting:

The SPEAKER: Order!

The Hon. J. HALL: —wrote to the Auditor-General seeking two weeks additional time to respond, which he granted, and we submitted our response two weeks later.

LOCAL GOVERNMENT FINANCE

The Hon. D.C. WOTTON (Heysen): Will the Minister for Local Government advise the House on the validity of claims made about the financial health of the local government sector in South Australia?

An honourable member interjecting:

The Hon. D.C. KOTZ (Minister for Local Government): Yes; that is probably because the opposition has absolutely no interest in the area of local government. The opposition has not asked one question of me in over 18 months. I thank the honourable member for this very important question that relates to the local government area across South Australia. As all members know, there are 68 councils across the board and it is most disappointing that the opposition has shown such complete and utter disdain for local government.

I am very pleased to answer this question regarding the financial aspects of local government. I am well aware of recent reports regarding the financial health of the local government sector in South Australia. These reports have certainly concerned me because it would appear that they have been based on inaccurate figures and certainly inaccurate information. I would like to use this opportunity to clarify the situation concerning these inaccurate reports so that the true figures regarding local government debt and rates are available to the public to access. I have also read the *Sunday Mail* article of 15 July which was entitled 'It's debt city', a headline which I must say gives the impression (which I consider misleading) that the level of debt in the South Australian local government sector is too high. Indeed, the article itself incorrectly asserts that debt levels are forcing councils to increase rates.

Indeed, if net debt levels were increasing, or if in fact interest rates were rising, there certainly would be a basis for the reporter's comments. However, as members are well aware, neither debt levels nor interest rates are increasing to any significant extent. In any event, net interest costs currently represent about 2 per cent of councils' operating revenue, and this percentage is lower than at any point in the last two decades. In fact, at the current interest rate levels in the community, it would be sensible to suppose that a doubling of net debt would result in net interest costs absorbing less than 4 per cent of councils' operating revenue. The government, through the Office of Local Government, has been undertaking research into this matter for some time, and our conclusions show that eight councils have a net debt that is greater than $10 million; 20 councils have a net debt between $2 million and $10 million; 18 councils have a net debt between zero and $2 million; and 22 councils have in fact no debt at all.

The Hon. W.A. Matthew: Is that 22?

The Hon. D.C. KOTZ: That's right; 22 councils out of the 68 councils have no debt at all.

The Hon. W.A. Matthew interjecting:

The Hon. D.C. KOTZ: No, I'm sorry, I can't answer that question; I do not have that list, but I could probably obtain the list for the member—

Ms HURLEY: I rise on a point of order, sir. In view of the fact that the minister seems to be moving slowly through her answer, I move:

That question time be extended for 20 minutes.

The SPEAKER: Order! The view of the chair is that the minister has the call and she is entitled to complete her

remarks. If the member has a view to moving that particular motion, she can do so at another time but not halfway through the minister's reply. I call the Minister for Local Government.

The Hon. D.C. KOTZ: Thank you, Mr Speaker. I think you will understand that the information I am imparting to the House is rather detailed in terms of the specifics that are required to cover the financial aspects of local government. The information that I have just given to the House in relation to the number of councils has been based on an audit of financial statements for the financial year 1999-2000. Clearly, it is a matter for individual councils to determine the approach to be adopted to contain or reduce overall levels of debt. It probably is fair to say that this information does not relate to rate increases. However, it does discount the theories of financial hardship of councils across the state.

QUESTION TIME, EXTENSION

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

That question time be extended by 20 minutes, given the importance and seriousness of the Auditor-General's report with which we have been presented today.

The SPEAKER: Order! The leader cannot debate the motion.

The House divided on the motion:

AYES (22)

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.	Koutsantonis, T.
Lewis, I. P.	Rankine, J. M.
Rann, M. D. (teller)	Snelling, J. J.
Stevens, L.	Such, R. B.
White, P. L.	Wright, M. J.

NOES (22)

Armitage, M. H.	Brindal, M. K.
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. (teller)	Kotz, D. C.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	Meier, E. J.
Olsen, J. W.	Penfold, E. M.
Scalzi, G.	Venning, I. H.
Williams, M. R.	Wotton, D. C.

The SPEAKER: There being 22 ayes and 22 noes, I give my casting vote for the noes.

Motion thus negatived.

The SPEAKER: I ask members to resume their seats and clear the floor. Would the member for Spence and the Minister for Local Government have their conference somewhere else. Would the member for Colton clear the floor.

GRIEVANCE DEBATE

Mr CONLON (Elder): As someone who has sat in this chamber for the last three and a half to four years and seen the lies on ETSA, two Motorola inquiries, and the origins of the Hindmarsh stadium debate, I would have thought I would find it difficult to be surprised at the depths to which this government would stoop. With the Auditor-General's interim report today, this government has lost its last pretence to any integrity in public administration. It has lost its last shred of human decency and stands naked in its duplicity.

We have here an absolutely unprecedented act by an Auditor-General. What we have here is a plea from the Auditor-General to be allowed to do a job he was commissioned, properly authorised by parliament, to do. And who is preventing him? Members of the government are preventing the Auditor-General from doing a job parliament authorised him to do. This is the latest and most scandalous in a series of cover-ups by a government which has no integrity or honesty.

The Auditor-General has made it plain. We have had ministers—I must say there are now more crooked ministers in this government than any administration South Australia's history has seen—try to reinterpret this. But what has the Auditor-General said? He was commissioned over a year ago by the parliament to undertake an inquiry into a matter of public administration involving $36 to $40 million of taxpayers' money. What he has said is that members of this government have at first put up every hurdle and blocked every attempt to proceed with the inquiry. They have done everything in their power to prevent him from proceeding.

Having extended natural justice to them, and finally tired of their antics, he told them they would have to put up. What did they do then? They have threatened to shut down the Auditor-General with litigation. Members of this government have threatened by litigation to shut down the Auditor-General on an inquiry authorised by the parliament. It is absolutely unprecedented in the history of the administration of this state. It is incumbent upon this Premier, if he pretends to any honesty and decency in public administration, to do a number of things.

First, he must identify to this parliament who are the members of government frustrating the Auditor-General in his properly authorised duties. Who are they? We have a fair idea. He must do another thing. If one of his ministers of the Crown has stooped so low to litigate against the Auditor-General in a properly authorised inquiry, they should be stood down immediately. Understand completely what they are doing: having failed to delay it so that they could scurry to a late election; having maximised their superannuation; and having failed with every delaying tactic, they have litigated.

What did they litigate? They have not once challenged any merit of the finding of the Auditor-General. They have not said he is wrong. What they have said is that he should not be allowed to do it. He should not be allowed to look at the truth. He should not be allowed to show the truth to parliament, even though parliament has authorised him to do it. They have sought the last refuge of the wealthy scoundrel. They have run to the lawyers, not to shut down the Auditor-General on the merits of the report, but to prevent him from telling the truth to this parliament on the expenditure of public funds. As I said, this government has stooped to its lowest form.

I just wonder whether the taxpayers of South Australia are actually helping these crooks to frustrate the parliament and

to frustrate the truth. As I have said, it is the most scandalous cover-up in a government that has a history of dishonesty, secrecy and lies. To the best of my recollection, it is the lowest level to which public administration in this state has sunk. There is no defence for the ministers who are doing nothing except trying to avoid the truth. They were charged with the responsibility of this parliament and the trust of the people of South Australia in connection with expending public moneys. If they are not challenging the merits but simply trying to shut it down, what is it that they do not want the Auditor-General to tell the parliament? What is it on the expenditure of taxpayers' money that they do not want the Auditor-General to tell the parliament? What is it that Graham Ingerson does not want us to know? What is it that other government members do not want us to know? It is simply this: it is the truth about the misuse of public funds.

Time expired.

Mrs PENFOLD (Flinders): If we were to believe the opposition, South Australia would be a very sorry state, and it is certainly not.

Members interjecting:

Mrs PENFOLD: All the indicators are showing that it is quite the reverse.

Members interjecting:

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

Mrs PENFOLD: It has been rightly stated that one of the few things that stay the same is change. Change is constant of all things, including successful businesses and successful parliaments. Today, I pay tribute to a change in the tuna industry in Port Lincoln, and to one of its pioneers, Joe Puglisi. Joe, who fished off the New South Wales coast, came to Port Lincoln in the early days of the tuna industry when fish were caught by the poling method. This method of fishing is physically demanding and backbreaking work, given the size of the fish caught. The drama of those days has been captured by Colin Thiele in his book *Bluefin*. Colin Thiele made up a fictional cast of characters to create a story based on real life incidents. There was the year when oil companies refused to extend any more credit. However, the state government intervened and companies allowed fuel for one more trip. The boats began to catch the tuna that had elluded them, and so the collapse of what had become a very lucrative industry was narrowly averted.

In the early days, most of the fish were marketed through SAFCOL, which began as a fishermen's cooperative, and its Port Lincoln cannery. SAFCOL also changed over the years. Fishermen moved to doing their own marketing and canning in their own factories. The identification of the Japanese sashimi market was a significant turning point. It brought added value to the industry, along with a new learning curve to present fish appropriate for the sashimi market. This change brought closer ties with Japan. Tuna is a migratory fish that covers the oceans of the world in a manner that would satisfy the most intrepid sailor. While the general pattern of migration could be determined, the fish still had to be found.

As the years went by, leaders in the industry were concerned at the difficulty of locating schools and at the decreased returns for increased effort. Joe Puglisi was one who recognised the need for sustainability in the industry and worked to that end. It was decided that the introduction of quotas was the best way forward, but it was ineffective for Australia to go it alone in an industry where several nations competed for the harvest. Talks with Japan and New Zealand brought about a tripartite agreement that has stood the test of time. However, the necessity to maintain income to maintain the profitability of the industry was the next hurdle. Tuna farming became the next innovation to value add. This, too, was a new venture where no advice of what to do or how to do it was available. It was a matter of trial and error. It was not even known whether tuna could be held and thrive in confined spaces.

The success of tuna farming is a tribute to the skill, ingenuity and commitment of Port Lincoln tuna fishermen. Joe Puglisi, by now joined by his sons Joe Jnr and David, was a pioneer in this field. Living things require food to stay alive and prosper, and that became the next problem to be solved. While progress has been made to supplement pilchards, difficulties have been experienced. This is where the international company, Stolt Sea Farm Holdings, came into the picture. This Norwegian company has bought Australian Bluefin, the tuna fishing and farming company founded by the Puglisi family. The family has retained some of its business interests, such as a portion of the southern bluefin quota. Stolt Sea Food Farming is the world leader in producing turbot, halibut, sturgeon and sturgeon caviar, and is experienced in producing pellet feed for their fish. The latter gives promise of further positive developments in the future.

Another thing Mr Puglisi has been considering for five years or so is the need to process and package tuna to value add before export. Stolt Sea Food Farm Holdings has the experience and technology to do this as an extension of what it already does with its other fish species. Joe has said that Port Lincoln has become a focus on the international scene not only because of his company's success but also because of Port Lincoln. Port Lincoln has advanced with the tuna industry, and it is the mutual support between the industry and the people of Port Lincoln that has contributed to Port Lincoln's becoming the premiere fishing port in Australia.

Time expired.

Mr WRIGHT (Lee): The Auditor-General has taken two pages—and two pages only—to tell us all about this seedy government. For a long time, it has been well known that government members have wanted to frustrate and stop the Auditor-General—

The SPEAKER: I remind the member that he cannot display items.

Mr WRIGHT: —from reporting on the Hindmarsh Soccer Stadium. It is well known that that is the case. The Auditor-General has taken two pages only to tell us about this scandal; to tell us about a corrupt government; to tell us about a crooked government; and to tell us what a rort this has been. We are told in those two pages how this government will do whatever it can to delay, frustrate and stop the Auditor-General from reporting. This is the Gettysburg report on the Auditor-General's inquiry into the Hindmarsh Soccer Stadium, because never was so much said in so few words about a government as what has been brought down in two pages by the Auditor-General today. This government is corrupt, crooked and rotten to the very core. It has no interest in parliamentary democracy, and it has no interest in allowing the parliament to report back about the Auditor-General. It wants to frustrate this beyond the election, and it will go to every possible degree to ensure that it does that. After some 20 months, right on the death door of this parliament rising, we have the Auditor-General finally telling us that he cannot cop it any more, either.

This is a cry from the Auditor-General for this parliament to do something about this: for the parliament to give the opportunity and the power to the Auditor-General—the independent financial watchdog—when it comes to the matter on which he is about to report. We have bullies in this government who want to threaten the Auditor-General; bullies who want to stop the Auditor-General from reporting; bullies who have frustrated it for so long that we are finally at the stage where, as a result of the threat of litigation, they are going to the very final degree to stop the Auditor-General from bringing this important information to the parliament. We are talking about a government that does not believe in parliamentary democracy or in the parliamentary system. They believe in one thing only, and that is their jobs. They do not care about the future of South Australia.

They knew from day one that they had botched this project. They knew from day one that there was no proper accountability with regard to the way this project came on board. They are now doing everything they can to stop the taxpayers of South Australia from receiving the vital, important and essential information about this seedy government which the taxpayers deserve. All will be reported when the Auditor-General finally gets the opportunity to bring forward his inquiry and statement.

It is all here in the document in two pages; it is flavoured right throughout the document, when the Auditor-General talks about how he has been frustrated, about encountering substantial delays, about wanting to remove chapters 5 to 10, and so it goes on and on. It does not take anybody very long very quickly to get a full picture of what this is all about: it is an attempt by the government, by certain people within the government, to try to make sure that the Auditor-General is not given the opportunity to bring forward this information, and we know that the Minister for Tourism and the member for Bragg are at least two of those people (there may be others) on the government side who will do anything to stop this from coming down.

What we need is a Premier who is prepared to show some leadership. We want to know whether we have in South Australia a Premier who is prepared to show some guts, to show some leadership and to make sure that some truth and accountability is brought into this place, not a Premier who is prepared to skunk away and allow some of his members and ministers to use every possible opportunity to stop the Auditor-General from coming forward with a vital document that is in the interests of the taxpayers of South Australia. You, sir, know, this parliament knows and the taxpayers of South Australia know that we deserve nothing less than the best, and we are not getting it from this Premier.

Mr SCALZI (Hartley): Today I wish to talk about parliamentary privilege. We, as members, are very fortunate that we have parliamentary privilege, but with parliamentary privilege comes parliamentary responsibility.

Mr Foley: Here comes a lecture from Joe.

Mr SCALZI: I am glad that the member for Hart is listening. As members, we are well paid by the taxpayer to act in the best interests of the public.

The SPEAKER: Order! Would the member for MacKillop go into the gallery or resume his seat.

Mr SCALZI: When we are able to express something in this House, we should do so in the interests of the public, and we should ensure that the rights of individuals are not affected by our use of privilege. Members would be aware of the crusade by Mr Peter McKeon about publishing names of those who are accused and the effects on their families and the rights of spouses, parents, children, etc. I am pleased that in another place that has been considered and that something will be done.

Today, I wish to talk about our parliamentary privilege. I was asked by a constituent to bring this matter to the House, and I do so because of the effect that it has had on this family. It is a pity that the member for Peake is not here because its concerns him and because after one question time it was the member for Peake who shouted like someone in a Roman crowd at the Colosseum that the opposite side were criminals. The member for Peake should be careful what he says in this place. I will read the letter I received, as follows:

> Dear Joe
>
> I have enclosed a copy of an article published in the Adelaide *Advertiser* on 12-7-2001 which makes allegations against my son Henry Keogh. I know the allegations are not true and therefore demand a written apology from Mr Koutsantonis. I also ask that he retracts his statement and that he publishes that retraction in the *Advertiser*.
>
> I would also ask you, Joe, to make a formal complaint on my behalf to the Parliament on the misuse of Parliamentary Privilege. My family and I suffer each time material such as this rubbish is published about my son. If Mr Brokenshire, the Police Minister, said Mr Koutsantonis was not telling the truth, then why in God's Holy name did Mr Brokenshire not insist on an apology not only to the Correctional Services Department, but also to Mr Henry Keogh and his family. Thank you Joe.
>
> Yours faithfully
>
> Eileen.

I think it is important that, whenever we make statements, we do our homework. At the estimates committee which I attended, the member for Peake made other statements that were found to be incorrect. I think we owe it to the public that, when we say something in this place, we make sure that we do our homework and do not cause undue suffering to people who already have suffered enough. An elderly lady, who has gone through so much in life, is going through it again just for political gain by the member for Peake. I think that he should apologise in this place and let Mrs Keogh know that he is sorry and that he has made a mistake.

The next time the member for Peake brings up a matter such as this, he should do so in the public interest, and he should make sure that he balances what is in the best interests of the public and make sure that whatever is said does not adversely affect innocent people in the community, as in this case. I ask the member for Peake to put on the record that he is sorry, and that he made a mistake—as was pointed out in the article in the *Advertiser* by the Minister for Correctional Services, the Hon. Robert Brokenshire, as follows:

> . . . there was no substance to Mr Koutsantonis's allegations and he should apologise to the department.

Time expired.

Mr FOLEY (Hart): This is a very tragic day here in South Australia's parliament. We have witnessed an earth-shattering report by the Auditor-General. It has delivered a message to this parliament that should shock all members of this House. The Auditor-General today has said that he has been deliberately frustrated by members of this government in the handling of the draft report of his inquiry into the multimillion dollar taxpayer funded Hindmarsh Soccer Stadium. That in itself is a shocking admission; that government members, ministers, cabinet secretaries—and, I must say, it could even possibly be the Speaker of this House—have frustrated the process of this report. Other than the Premier, you are talking about three holders of high office in

this House: you are talking about the Speaker of this parliament; you are talking about a minister; you are talking about the cabinet secretary. If it is not enough that one or all of those members have frustrated the completion of this report—if that was not enough—the bombshell, the very disturbing fact, was further revealed that the Auditor-General is of the view that he would be threatened with litigation if he proceeds. A member of this government—it could be the Speaker, it could be a minister, it could be the cabinet secretary, or it could be a combination of those members—has threatened the Auditor-General of this state with litigation if he proceeds.

What of parliamentary democracy; what of good governance; and what of responsibility and respect for the community if we have executive members of government potentially prepared to threaten the Auditor-General of this state with litigation? And we know why—because they do not want this report released. The Auditor-General has said that one member wanted chapters 5 to 10 ripped up and shredded; to be thrown in the bin. What is in that report that so terrifies this government? We now see this government wanting to push through to March, wanting to steal another six months in government: we see members and ministers likely to lose their seats wanting to improve their parliamentary superannuation. Those members would like to push that report beyond the sitting leading up to Christmas so that it never sees the light of day before an election. How grubby, how smelly, how corrupt is that process?

But we should not be surprised, because Liberal politicians love to attack the Auditor-General; they love to deal with the Auditor-General in this fashion. How do we know that? Because we saw Jeff Kennett do it in Victoria. We saw Jeff Kennett take away the powers of the Auditor-General; we saw Jeff Kennett sack the Auditor-General. This government knows that it is in trouble, it knows that it is crooked, and it now wants to attack the independent financial umpire of this state. What a grubby, corrupt government we have here in South Australia.

The Premier of South Australia must act today. He must immediately dismiss either the Minister for Tourism, the cabinet secretary or, indeed, you, sir, as Speaker, should you be one of those members. Action should be taken immediately against those members of parliament who have deliberately frustrated the Auditor-General and the members whom I have mentioned who threatened litigation—legal action—against the Auditor-General. Make no mistake about it, they should be sacked. Even if that does happen, the natural sequence of events should be that this corrupt, crooked government must fall. It cannot in any way, shape or form administer this state with any honesty, any integrity or any commitment to delivering good governance, following the tabling of the most shattering report that we have seen from an Auditor-General in many years.

If the dynamite contained within this report is any indication as to what we can expect when the final report is delivered, this government will be destroyed at the next state election, because South Australians will finally realise that the Liberal government in this state is a corrupt, crooked government.

Time expired.

The SPEAKER: Can I assure the House from the chair that the Speaker of this parliament has not threatened litigation against the Auditor-General as regards this report. In my private capacity, I was called up to the inquiry. I have spoken to the Auditor-General, and my solicitors have commented on the draft report. But, I repeat, I have not threatened the Auditor-General with any litigation, and I would like that to be clearly understood by all members.

Mr FOLEY (Hart): Mr Speaker, may I make a personal explanation?

The SPEAKER: Yes.

Mr FOLEY: Sir, in my previous contribution I inferred that you may have been one of the members who had threatened legal action against the Auditor-General. I sincerely apologise and withdraw the inference, sir, that you may have been one of those three members. I must say that that was a very brave move of you, as Speaker, and I applaud you for that, and this parliament can be confident that, in the Speaker at least, we have a member of integrity.

Mr WILLIAMS (MacKillop): After the histrionics to which we have been subjected by a very desperate opposition, I would like to talk about some rather good news, things that are happening in South Australia—something that the opposition never wants to concede or acknowledge. Some fantastic things are happening in South Australia, and I want to bring to the attention of the House a good news story that happened in my electorate a couple of weeks ago, when the Minister for Human Services, Hon. Dean Brown, opened the new council offices, medical centre, tourist information centre and IXL (Information Exchange and Learning Centre) in the small township of Beachport in my electorate. I note that the Deputy Speaker has come back into the chamber. It was very pleasing that he was able to accompany the minister to that opening. I was delighted to have his presence in my electorate on this very fine occasion as well.

An honourable member: It was a great occasion.

Mr WILLIAMS: It was a great occasion. The good thing about what happened in Beachport a couple of weeks ago when the minister opened the new centre on behalf of the Wattle Range Council was that it showed what can be achieved by partnerships between the three levels of government. Local government, state government and the federal government were all involved in various aspects of this centre, which is delivering a full range of services to the community of Beachport.

I will very briefly speak about the community of Beachport. Beachport is a very small town on the coast south of Robe; it is the next town south of Robe along the coast. It has a population of only about 400 people for most of the year, but that number swells to somewhere between probably 4 000 and 6 000 people during the summer months, as people flock from the western districts of Victoria, the whole of the South-East, and even from as far away as Adelaide and surrounding areas, to enjoy their summer holidays in an idyllic coastal town in the south of our state.

Beachport, prior to the recent council amalgamations (which occurred three or four years ago), had a district council of its own, one on which, in fact, I had the good fortune to serve for some eight years during the 1980s. Following the amalgamation of that council with the Penola and Millicent councils, the newly formed Wattle Range council became aware that it owned quite a few facilities, buildings and assets in the town of Beachport which either were no longer delivering the services the community wanted or were in excess of the town's requirements.

The council, therefore, because of the inappropriateness of some of the buildings that had previously been used and

because it had some excess assets (which also included a rather large works depot), was able to rationalise some of its assets, which provided the council with considerable sums of money. The council is utilising that money to provide new facilities and services to that community. The new building has cost some $275 000. When I talk about joint funding—because the new building houses the tourist information centre—I point out that $50 000 of the capital cost came via a grant from Tourism South Australia.

Also, because of the need to have a medical centre in the town, $50 000 was provided from the Health Commission towards the capital cost of that part of the building. I talked about the partnership between the three levels of government: certainly the state and local government assisted, but the federal government—through Networking the Nation—provided $50 000 towards the equipment, lines, etc., for an information exchange and learning centre, which is also housed within the same building. This now provides a full set of services.

Also, the community provided a further $40 000-odd to equip the medical centre. I must say that, in the early 1980s, a Dr Ken Westphalen came to Beachport. I think that his original intention was to semi-retire but he provided outstanding medical service to that community until the latter part of last year. Now that it has a dedicated medical centre, the town has attracted another doctor, Dr Trevor Birchall, who is providing services from the medical centre to the community of Beachport, and this is one way that partnerships between the state and local government—in rural localities in particular—can ensure that medical and health services are provided to their communities.

SELECT COMMITTEE ON ADELAIDE PARK LANDS PROTECTION

The Hon. J. HALL (Minister for Tourism): I move:

That the select committee have leave to meet during the sitting of the House today.

Motion carried.

SELECT COMMITTEE ON GROUNDWATER RESOURCES IN THE SOUTH-EAST

The Hon. J. HALL (Minister for Tourism): I move:

That the select committee have leave to meet during the sitting of the House today.

Motion carried.

SITTINGS AND BUSINESS

The Hon. J. HALL (Minister for Tourism): I move:

That standing orders be so far suspended as to enable the consideration of committee reports to continue until 6 p.m.

Motion carried.

SELECT COMMITTEE ON DETE FUNDED SCHOOLS

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

That the time for bringing up the report of the committee be extended until Wednesday 26 September.

Motion carried.

SELECT COMMITTEE ON PETROL, DIESEL AND LPG PRICING

Mr McEWEN (Gordon): I move:

That the time for bringing up the report of the committee be extended until Wednesday 26 September.

Motion carried.

SELECT COMMITTEE ON THE MURRAY RIVER

The Hon. D.C. WOTTON (Heysen): I bring up the final report of the committee, together with minutes of proceedings and evidence, and move:

That the report be received.

Motion carried.

The Hon. D.C. WOTTON: I move:

That the report be noted.

It is with a great deal of pleasure that I table the final report of the Select Committee on the Murray River. The tabling of this report completes the first comprehensive inquiry into the health and management of the Murray River conducted by this House and is, without doubt, one of the most significant reports to be brought before this House for a very long time. Through the establishment of this select committee, the South Australian parliament has, I believe, successfully managed to bring together members from various political persuasions—to remove the politics—to prepare a consensus report that outlines a direction for the future use and management of the Murray River in South Australia.

The Murray River is vitally important to the quality of life enjoyed by all South Australians and is undoubtedly the state's most important natural asset. Evidence presented in this report clearly shows that South Australia would be in a precarious position if we could not rely on a secure supply of water from the Murray River. During this inquiry the committee gathered together a substantial body of evidence. This evidence indicates that, while development of the Murray River and the wider Murray-Darling Basin has delivered and continues to deliver considerable economic and social benefits, these benefits have come at a very significant environmental cost at both a state and basin-wide level.

This cost is illustrated by evidence that, first, the Murray mouth now experiences drought-like flows 60 per cent of the time as opposed to 5 per cent of the time under predevelopment conditions; secondly, water quality, particularly increasing river salinity, remains a significant threat to riverine health and the consumptive use of Murray River waters; thirdly, our wetland environments are degraded and in need of repair; and, fourthly, fish stocks throughout the basin are in decline, with some species already listed as threatened.

There can be no doubt that the Murray River and the wider Murray-Darling Basin are under stress. All the evidence suggests that our current approach to the use and management of the basin's resources has moved us beyond the system's sustainable limits. If we want the Murray-Darling system, especially the Murray River itself, to continue to provide into the future the economic and social benefits we all currently enjoy, we must change our current approach to the sharing, management and use of the basin's natural resources.

While the select committee acknowledged that many significant changes have been achieved in recent times, there is much more to be done. The select committee's report, with

more than 90 recommendations that have relevance at both state and basin wide levels, marks the beginning of the process in making the changes that are necessary.

The committee is of the opinion that action on all recommendations is essential to improve the health and management of the Murray-Darling system and the Murray River, especially in South Australia. The select committee, having also recognised that there are many demands to be met with limited resources, has identified 10 priority areas to provide a clear and immediate direction for future management of the region. South Australia must ensure that it acts on those priority recommendations over which it has control if it is to gain the high ground and demonstrate leadership for other basin states to follow. Demonstrating leadership will require, among other things that:

- that South Australia balances its salinity obligations under the salinity and drainage strategy;
- accelerates the development of targets for catchment health in the Murray River system; and
- accelerates the completion of the rehabilitation of the Lower Murray irrigation areas.

Clearly, achieving action on these aspects will require considerable new investment—investment in capital and infrastructure and investment in expertise. However, it is an investment that we can ill afford to delay.

In formulating its recommendations, the select committee identified a number of underlying themes. They are adaptive management, commitment, partnerships and investment, all of which are of equal importance. Adaptive management recognises that our current approach to the use and management of the basin's natural resources is not sustainable. Resource management must undergo fundamental change, and this can only be based upon the best available scientific knowledge. As new information becomes available, there will be a need for further change.

Commitment recognises that there are no quick fixes. Improving the health of the Murray-Darling system and moving towards sustainable development will require a long-term commitment by communities and by governments. Partnership recognises that no one individual state government, industry group, catchment organisation, research body or conservation group has the necessary skills, expertise or resources to improve the health of the Murray-Darling system. The forging of strong, transparent and accountable partnerships at all levels and across all jurisdictions will be absolutely essential. Investment recognises that the current levels thereof are inadequate to combat the scale of the natural resource and environmental degradation impacting on the health of the Murray-Darling Basin.

We cannot underestimate the magnitude of the challenge and the scale of change required to improve the health of the Murray River. Achieving this outcome will require that we enhance our capacity to respond to the challenges we are confronting. Building our institutional capacity and the capacity of our community to embrace the scale of change required will be essential. Achieving the ecologically sustainable development of the state's water resources is vital to South Australia's future prosperity. Nowhere is this outcome more important than in the South Australian section of the Murray-Darling Basin.

While the tabling of this report in the House brings the work of the Select Committee on the Murray River to an end, it also marks the beginning of a new era—an era focused on achieving the sustainable management and use of the resources throughout the Murray-Darling Basin. There is no denying that it is an era filled with risk. However, with risks comes opportunity. It is these opportunities that we must seek to foster and develop.

The select committee would like formally to acknowledge those organisations and individuals that have provided evidence or given their time to appear as witnesses before the committee. Their contribution has been invaluable. May I as Chairman commend all members of the committee for the absolute commitment and diligence with which they have addressed the responsibilities regarding the preparation of this significant report.

The committee would also like to acknowledge the total commitment, dedication and skills displayed by the committee's research officer Mr Mark Faulkner and parliamentary secretaries David Pegram and Paul Collett in preparing this report. The commitment that has been shown by those people—and I have to single out the research officer Mark Faulkner—has been quite remarkable, and the committee commends Mr Faulkner on the way in which he has carried out his responsibilities and the commitment and dedication he has shown.

In commending this report to the House, I encourage all members of parliament in this place to familiarise themselves with its contents. Again, I say that it is one of the most significant reports to be brought before this parliament, and it is essential that all members take the opportunity to familiarise themselves with the contents of this significant report.

Mr HILL (Kaurna): It is with great pleasure and considerable pride that I rise to support the noting of this important report. When I moved the motion on Tuesday 18 November 1999 to establish the Select Committee on the Murray River, I said:

> I simply say that, with this motion, I extend the hand of cooperation and bipartisanship to the government. The Murray River is too important to our state. It is the lifeblood of South Australia. . . It is too important for anything less than the total commitment of all members of this parliament.

I am pleased, therefore, to report to the House that over the 18 months that the committee has been working all members of the committee representing the Labor Party, the Liberal Party, the National Party and an Independent have worked together in a consensus way to produce this unanimous report. I think that in itself is a significant achievement which is worth noting and which I hope has produced a result on which we can build in the years and decades to come.

I will, however, introduce one sour note at this stage. I was disappointed to see the media comment attributed to the Premier this morning in relation to the Murray River, wherein he picked up at least a flavour of our recommendations in his expression about a 20 year plan. I thought this was a rather crude attempt by him to pre-empt the good work that this committee had done. I am pleased that he has picked up the flavour of this report: I just thought the way in which he chose to put it in the public record was unfortunate—but I must say it is typical of the man.

At the Saving the Murray Conference on 16 February this year at the University of the South Australia, along with the minister and others I was invited to be part of a panel to talk about what could be done to save the Murray River. I thought yesterday, having finished the report, it would worthwhile going back to look at what I said to see how that fitted in with the report which has been handed down. At that conference I made eight points which should form the basis of public

policy. I would like to go through those eight points and compare those eight points, which I stand by in terms of public policy, with the report before us. I think there is a pretty good fit.

The first point I made is that there needed to be a bipartisan approach to deal with this issue. As I have already said, we have had that, and the symbolic signing of the report (and that was a first, too—it was signed not just by the Chairman but by all members of the committee) at a media conference at 1 o'clock this afternoon highlighted and underlined that point very well. We do have a genuine bipartisan approach to that in this House, and that is extremely important.

The second theme that I said needed to be the basis of public policy on this was that we needed strong national leadership. Our report time and again emphasises the need for the commonwealth to take a strong role in leading the states in developing a comprehensive strategy for dealing with the River Murray. I would emphasise that we do need strong commonwealth leadership in this issue. We are not calling in our report for a referendum to give the commonwealth all the power. We are not saying that they should use their international treaty powers to do it. We are saying that they should come up to the plate and deliver the leadership that is required.

The third point I made at the conference on 16 February was that we needed cooperation between the states. This is vital. Unfortunately, I believe that that consensus, that level of cooperation, has been damaged somewhat by the rather hostile approach taken by the government in this state over the last couple of years. Hopefully that is a thing of the past. This report reinforces the vital importance of the cooperation between the states. It is important that we do not attack the other states. This report does not do that. We have to work together. If we are to get them to change, they have to work with us.

I point out to the House the eighth of the priority recommendations, which is to do with the Snowy Mountain hydroelectric scheme corporatisation and environmental flows. This is obviously a tense issue for the states to deal with, and our recommendation is that a single body be established by a single agreement of all Murray-Darling partners instead of the current proposal for a joint government enterprise. In other words, we are saying, 'Let's work together, let's be cooperative, let's try to deal with the issues with respect to the Snowy and the River Murray at the same time. Do not separate them out, do not create conflict.'

The fourth point I made was the need for exemplary behaviour at home. This obviously goes without saying. If you are going to ask other states to change their behaviour, if you are going to ask irrigators and water users in other states to change their behaviour, you have to make sure that they cannot point the finger at you and say, 'What about you? Why aren't you doing these things as well?' Our report has been a warts and all report in how it has looked at what happens in South Australia.

I refer to the first major recommendation which is about salinity and about establishing strong targets for South Australia in relation to salinity and setting some time frames for that. I point to the third major recommendation which is about cleaning up the lower Murray reclaimed irrigation area, and we are recommending there a demonstration swamp to assess the capability and suitability of sprayline irrigation technology, and making the—I think—very tough recommendation that the whole area should be completely rehabilitated by 2005.

In addition, the sixth recommendation is about water conservation. We say that South Australia should have a strategy so that by 2004, there should be a reduction of 50 per cent of the water we rely on from the River Murray over a 20-year time frame. That is putting the wood on water users in Adelaide as well. In the seventh recommendation, we make some fairly tough statements about water quality issues. In particular, we recommend that local councils should remove remaining effluent ponds from the River Murray flood plain by January 2005.

In the tenth recommendation—and this is the way we will ensure that we have strict control and have the best behaviour at home in South Australia—we are recommending the establishment of a standing committee of this parliament to deal with water issues. In all of those ways we are really being tough on ourselves. We are not just saying that the rest of Australia has to clean up their act.

The fifth point I made at that conference was that we need clear goals. There is a range of clear goals in here and the one that I think is the most important is that we are calling on a doubling of the water flow through the mouth of the river by the year 2025—a 20-year plan. A 1 per cent increase in water flow each year would equate to approximately 3 000 gigalitres of extra water that would come down. At current market rates, it is about $3 billion worth of water. That is a tough call but one that is absolutely vital.

The sixth point I made at that conference was that we needed a clear plan. We need a strategy in place. This is the document that does this, and in particular it emphasises the need for integrated catchment management. I must commend the minister, who has been courageous in accepting this report, because we certainly go against what the Deputy Premier is suggesting in his Integrated Natural Resource Management Bill. We are recommending to the government that the catchment areas should be the basis of integrated management.

The seventh point I made is that we should have a state act. This report does not call for an act, but it achieves the same goal. I said we needed a state act to bring together all the various powers of the government under one minister. In fact, I said at the conference that the opposition advocated an act which would provide the minister with the authority to coordinate the actions of the relevant government departments whose decision making impacted on the river. In particular, we refer to planning, primary industries, the EPA as well as water resources.

I am pleased to say that recommendations 5 and 6 of the report on page 8 pick up those recommendations. We talked there about the need for a lead minister and the establishment of a high level Murray River coordinating committee covering the areas I have talked about so that the lead minister—hopefully, the Minister for Water Resources—can have the power to make decisions so that we do not have a mishmash of decision making. The final point I made is that we need expertise. I am pleased to say that priority 4, which talks about the need for a skill based commission, picks up that point and suggests that we need skills in the areas of ecology, natural resource management, irrigation technology, engineering, finance and business administration, resource economics, law, regional development and public administration. So, we need expertise.

In conclusion, I thank all the witnesses who appeared. I especially would like to thank Mark Faulkner, the research officer, who did a mighty job, our two secretaries, David Pegram and Paul Collett, and all my colleagues on the

committee and especially the chair, David Wotton, the member for Heysen. I congratulate him on the way he did the job. This report gives South Australia a unique opportunity to give united, informed, rational leadership on this issue. We must not let this report sit on the shelf.

Mr HANNA (Mitchell): I agree with the other members of the committee that this is one of the most significant reports to be brought into the parliament for a very long time. Personally, I have learnt a lot from being on the committee. I am one of the members of the committee in a metropolitan electorate, and I suppose we have a particular perspective from the suburbs of Adelaide where we rely on the Murray for 40 per cent of our reticulated water supply, and up to 90 per cent in a drought year. The committee members have worked very well together, and I would like to thank and pay tribute to the Hon. David Wotton, who chaired this committee. I enjoyed the cooperation and frank discussions with every other member of the committee: the members for Kaurna, Norwood, Chaffey, Hammond and Unley. Of course, the member for Unley is the Minister for Water Resources.

Apart from being a multi-partisan effort and a sincere attempt to understand the problems facing the Murray and the required solutions, the report is actually quite hard hitting and provocative in many respects. There are a few key issues which everyone would appreciate hold the key to the future of the health of the Murray, such as salinity, water flow and pollution. Obviously, what we put into the river has a significant bearing on what we draw out of it. There are procedural matters as well, such as the structure and composition of the Murray-Darling Basin Commission, which is the body through which the various relevant states and the commonwealth come together to exercise collective minds on how to resolve Murray River issues. We have also suggested that a standing committee of this parliament monitor issues relating to water resources. That is important not just for the Murray because, as we have seen with issues arising out of water in the South-East, there are many issues related to individual water consumption and agricultural and industrial uses of water which need to be addressed on a continuing basis.

This report sets out what we need in terms of remedial action in respect of the Murray River. Admittedly, we have not had the time or resources to cost every recommendation that we have made. The cost undoubtedly would run into the billions to do everything that needs to be done, but the first step—and I believe it is a courageous one—is for this committee and the various parties represented through the individual members on the committee to say, 'This is what needs to be done. These are the targets; these are the specific deadlines for achieving certain specified goals.' If we do not meet those deadlines, the penalty lies on the community, those who require water from the Murray to come through their taps for their household use and those on farms and in industry who also require water from the Murray. The penalty will also be a political one on the government of the day if the deadlines are not met, because if this report is put on the shelf, ignored and put into the too-hard basket, we will suffer as a community. Although the effects may not be immediate today or the next day, they will be startling and chilling in a few decades' time if we do not do enough, dither or do nothing.

If we do not address the issues in the ways that we have suggested through the recommendations of the report, we could see the City of Adelaide become more like the town of Alice Springs in 50 years' time, requiring water to be pumped in and never being able to get enough. Water arguably is and certainly will be the single biggest inhibitor to the agricultural, industrial and demographic growth of South Australia if we do not do something about it urgently. That does mean reorganisation of some structures; it does mean putting in a lot of money to make sure that the programs that we have proposed are actually put into effect.

I would like to conclude by once again thanking my fellow members on the Murray River select committee. I also thank Mark Faulkner, our research officer, for the hard work he has put in, especially in trying finally to compile the almost infinite strands of evidence and argument which we heard over 18 months. I would also like to thank our secretaries to the committee, David Pegram and, later, Paul Collett. We have worked well together and it shows what can be done through the committee system of the parliament where, away from the glare of publicity and media attention, we can employ our commonsense to cooperate in a genuine way. That has been the hallmark of this committee, and that is a genuine indicator of the significance of the work we have done.

Mrs MAYWALD (Chaffey): I rise today to support my colleagues in endorsing this report and also to highlight my viewpoint on some of the recommendations and the content of the report. We cannot underestimate the importance of this report at this time. It follows on from the Murray-Darling Basin salinity audit, which has generated considerable public debate. What we have been able to achieve with this committee is a framework for the future and for future governments, not just for whichever government may be in for the day; this is a document that can be utilised by both sides of the parliament and it can be used as the blueprint to go forward for the next 20 years. The member for Kaurna has referred to it as a living document, which is exactly what I believe as well. It sets some pretty good goals and pretty tough targets; it looks at the issues facing South Australia, warts and all. It provides us with an opportunity, though, to lead the debate in Australia to the next stage, and I think that is one of the most important things about this document.

Much has been said and reported, many committees have been established and there has been a lot of talk. The community itself is now crying out for action to be taken. Community groups and organisations are working their fingers to the bone out there in the community trying to do what they can. They now need leadership and the basic framework to be put in place, and they need governments to adopt the recommendations of this report to take them where we need to go to ensure that this valuable resource is sustainable into the future.

I commend the member for Kaurna for moving the motion to establish this select committee. It has been an incredibly worthwhile committee to be a part of. I also commend the government for supporting the establishment of the select committee and considering it to be of such great importance to appoint to the committee the Minister for Water Resources and your good self, Mr Deputy Chair, as a former minister and one who has had a significant role to play in the direction that this state has taken in relation to the sustainability of our water resources through your involvement with the Murray-Darling Basin Commission and the Water Resources Act that we now have before us.

This is a unanimous report which was approached in a bipartisan fashion when it was initiated, and throughout the

course of its 18 month life it has worked extremely well for the benefit of the state and not for any particular point scoring. As I have said, because of this effort and the work of individual members and the committee as a whole, this can be a blueprint for future governments.

The report also identifies our key achievements to date, and that is a very important aspect. Often in the debate, we lose sight of the fact that over the past 15 years or so we have achieved significant inroads into dealing with the scourge of salinity, but we need to go further. We need to actually build on those, and I believe that this report sets the framework for that building. It addresses the significant issues facing South Australia and also identifies the many challenges that are ahead for our state. It puts in place some pretty tough targets, which are now there in black and white to be adopted by this parliament and for governments to work towards achieving. From a South Australian perspective, because the parliament has determined to do this in a bipartisan way, I feel confident that we can now expect that governments of the future will see these recommendations as the future for South Australia.

Many of the recommendations also refer to the basin as a whole and, if they are to be implemented will require cooperation right across the basin. I think there is now an opportunity for South Australia to lead the way by saying, 'Here is a document that says what we are going to do. Here is a document that we believe sets out what we understand needs to be done for the rest of the basin to ensure that the Murray-Darling Basin is sustainable for one and all and for the benefit of Australia as a whole.' We need to understand that cooperation comes from accepting responsibility for the future and that it is important that we do not unnecessarily expend effort on apportioning blame.

The report also recognises that the Murray-Darling Basin is the largest integrated catchment program in the world. The committee also recognises the importance of the past efforts of the Murray-Darling commissioners. However, we have recommended some changes to the structure of the Murray-Darling Commission, not as a criticism of the efforts of past commissioners but as a way to further enhance the ability of the initiative to take the debate and the solutions to the next stage.

Implementing change is never easy; it is often very difficult for communities. All those who benefit from access to the waters of the Murray River feel justifiably threatened when we talk about what is needed to ensure sustainability. Most people in the basin would say that it is someone else's fault, and most of them would say, 'Yes, we need to put more water back into the river, but you cannot have mine. I have a legal right to what I have.' That is a fair enough argument. In fact, past governments have apportioned water licensing well and truly above the river system's capacity to deliver. As future governments, we need to work out how we can fairly and equitably claw that back to ensure that we have sustainability throughout the basin and that the economic wealth of that basin is not undermined in the future years for our children and grandchildren because we were unable to make the tough decisions now.

No-one wants to say that it is their problem and no-one wants to pay for it. The South Australian parliament has done just that with this report. The report, whilst it does not set out costings, recognises that a significant investment will have to be made. It talks about establishing targets, time frames in which those targets will be achieved, how water management should be apportioned in the future, and recommends that a water program should be put in place which will ensure that over the next 20 years there is a 1 per cent increase in the median flow every year. It is important not only to have water flowing down the channel but, if it is to improve the environment of the riverine area and the quality of the water for our irrigators and for domestic use, we also need to manage that water saving. We need to ensure that that water saving is best effected at the right times. Just to have extra water running down the channel will certainly not benefit anyone.

So, there are all sorts of issues dealt with in the report in relation to environmental flows, how we meet the targets of achieving wetland health, biodiversity health, and putting in place provision for us to deal with meeting targets in relation to rehabilitating the riverine as a whole. No one recommendation in this report is a stand-out recommendation; all the recommendations should be looked at as a collective whole. Each and every part of the report refers to the sustainability as a whole, and it needs to be recognised that you cannot pick out one recommendation and say, 'That is the magic wand that will solve the problems of the river for ever and a day.' It will take a huge commitment from the state government and the other participating states in the Murray-Darling Basin initiative to ensure that we can turn back the clock somewhat to ensure that this asset is sustainable into the future.

For my part, it is the lifeline of my community in the Riverland: without the river there would be no Riverland. I believe that we are making the hard decisions in the Riverland at the moment. Very proactive communities have been working towards rehabilitation of the irrigation areas. The Loxton irrigation scheme is a perfect example of that. The community has worked with federal and state governments and local regional boards to achieve an extremely good outcome and to achieve some very good benefits for the community by ensuring that their community will be sustainable in the future.

Likewise with the Qualco Sunlands Drainage Trust, where there was seven years of debate amongst the community on how to go forward to fix particular local problems, in conjunction with state and federal governments in partnership with the community, we are now seeing some results on the ground. If we can emulate that and hold them up as examples for the rest of the basin, South Australia will be leading the way to the next level of investment into what can only be seen as the future of South Australia and the basin.

Ms CICCARELLO (Norwood): I am also pleased to support this report by the Murray River select committee. I have welcomed the opportunity of being a member of this committee, which for the last 18 months has examined in detail what we think and, in fact, is the most important issue facing our community. I do not think we can impress enough the seriousness of it, and I sincerely hope that the many recommendations we have made will be acted upon both in the long and short term.

I am not generally in favour of point scoring in parliament, but I feel that the member for Kaurna, Mr John Hill, must be complimented on his initiative in proposing the establishment of the select committee. He recognised the urgency of addressing the Murray River and its concomitant issues long before it became fashionable. I well remember the catcalls and cries of derision from many of the government members when he presented his motion to the parliament. However, when it was then picked up by the media, we saw people whose only interest prior to this appeared to be barefoot skiing on the water suddenly claiming ownership for its

salvation. We saw many photographs of premiers and ministers in front of the river.

On a more positive note, our committee, led very ably by our Chairman, the member for Heysen, Mr David Wotton, has worked exceptionally well together and he has been able to bring together many ideas and points of view from the diverse political spectrums of all of those people who were part of the committee. I think it has certainly been a very rewarding example of just how productive the parliamentary process can be when there is good will. But enough of self-congratulation.

We know that the Murray-Darling Basin covers approximately 14 per cent of the Australian land mass and is Australia's largest and most productive and important river basin. We depend very much on it, albeit that the development has occurred with environmental costs, and to a great degree we depend on the water and its produce. However, with all the problems associated with the commission, it is recognised around the world for its best practice and we are fortunate to have many experts involved. I would just single out two—not to diminish the abilities and skills of many others: Don Blackmore and John Scanlon whose knowledge and skills are often called upon by other countries in helping them to find solutions for their own river basins.

For me it has been an eye-opening experience as we travelled the length and breadth of the Murray from its mouth to its source, and to see first-hand some of the degradation which has occurred. But in consulting with the many individuals and organisations who are doing their best, with commitment and passion, to address the result of years of bad practice, we have been able to see a wide range of diverse and innovative activities which are both commercially viable and are seeking to lessen the impact on the resource. These ranged from laser levelled irrigation fields to cotton fields and olive plantations being irrigated by state of the art computer controlled technology which is now being made available to other countries, to the salt farms making use of every single by-product, which has led to the establishment of niche export markets for gourmet salt flakes. The list goes on and one can only but marvel at the new pioneers on the land, facing enormous obstacles.

It was also gratifying for us to hear how pleased the witnesses were that we had been prepared to take the time and interest to examine the facts for ourselves first hand, rather than listening solely to the findings of others. We have come up with a wide range of recommendations and we acknowledge that the recommendations may be difficult to enact. We understand that there are serious financial implications in carrying out these recommendations but I think that the goodwill not only of our state government but of all governments around Australia is required to ensure that we look after this very valuable resource. We have set targets and deadlines and we now have a framework within which to work.

I would also like to acknowledge Mr Mark Faulkner who has worked very hard and diligently. He has been able to synthesise all of our discussions over the last several months and he certainly needs to be complimented, as well as our secretaries David Pegram (who is now in Canberra) and also Paul Collet. It is, I think, a brave and wide ranging report. It has been innovative in that it is the first time that a government or a parliament has come up with such a wide ranging report and I certainly commend the recommendations to the community.

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

A quorum having been formed.

The Hon. M.K. BRINDAL (Minister for Water Resources): Along with my colleagues (and I apologise to them; I was following the debate in my office but I also had a meeting, so I was half listening), I also wish to congratulate the Deputy Speaker on his chairmanship of this committee. I know that it is not entirely usual for a member of the House other than the minister to chair a select committee, but I believe that the committee showed great wisdom in electing the Deputy Speaker as its chair, because I do not believe that any other member of this House could have chaired the committee as well and as fairly as he did. As the member for Mitchell said—and it was an unusual expression; he did not say 'bipartisan'—

Mr Hanna: Multipartisan.

The Hon. M.K. BRINDAL: Multipartisan support, yes; I was intrigued by the expression. There was multipartisan support. I think that that level of support was achievable only because there was a person in the chair who was respected equally by all parties in this parliament. I congratulate the Deputy Speaker on his chairing of the committee.

I also, as have my colleagues in this matter, commend this report absolutely fulsomely to this House. I believe that this report will stand as one of the best reports ever produced for the parliament of South Australia. It has been nearly 18 months, I think, in the making and has involved a considerable amount of time and effort on the part of all members involved. It is not easy to bring seven members of parliament together at any time—and for days at a time. But, indeed, every member of this House who was a member of the committee made the commitment and put in many hours of hard work. The staff who assisted us are also to be commended for the hours of dedication that must have been behind every meeting, and also the members of Hansard, who came along time after time, hour after hour, to record what must be a tome of evidence presented by experts. That evidence, and this final report, will stand together as a most valuable record of the deliberations of this parliament and the state on the health of our river system into the future.

It would be interesting to speculate that, in 100 years, if scholars were looking to understand this part of the natural environment of our nation, they could do no better than go to this select committee report and to all the evidence presented because, if one could not glean, from the distillation of this report and all the evidence presented, an absolutely factual, multifaceted and complete picture of the river system and its health at this stage, I would be most surprised.

There are 90 recommendations, and I am quite sure that there will be those who will criticise the committee for having 90 recommendations. But I would challenge them, or anyone else, to come up with any fewer on a matter as important as this. If anything, I think that members of the committee showed great restraint in limiting ourselves, as much as we could, to what we saw as the principal recommendations across such a wide range of topics, including things such as water use, irrigation, water savings, drought management strategies, biodiversity, land management, research and development, investment in the Murray River and, of course, the structure of the commission and environmental and engineering concerns, not only in South Australia but also along the length of the river. However, being cognisant of the fact that 90 recommendations was a considerable number to

read, we also made sure that we detailed priority recommendations and, of those, there are 10. The one that I think should most readily draw the attention of this House, and perhaps of the people of Australia, is the recommendation on water conservation. I will read it into *Hansard*:

> The committee recommends that:
>
> · By 2004, the South Australian government develop and commence implementation of an integrated water management strategy for metropolitan Adelaide that will reduce water diversions from the River Murray for Adelaide's water supply by 50 per cent of the current level of diversions over a 20 year time frame.

I think that that is a significant recommendation. The other recommendation which I think is a significant call to action is the recommendation which states that, by achieving on average a 1 per cent saving in efficiency of water use across all the mechanisms of the basin, the goal should be that, in 20 years' time, the health of the Murray River at its mouth should be at least double what it is today. I use the words 'at least' because I think every member of the committee would passionately argue in this place that that should be our minimum goal. If we can achieve that, we will have done well. If we can achieve more than that, and in less time, we will have done extraordinarily well. But that is, I think, the line in the sand.

The shadow minister, in describing this matter over a number of issues, said that it was necessary to understand that the committee had felt it necessary to draw lines in the sand; that all those goals might not necessarily be achievable exactly on the date that the committee recommends. Hopefully, some of them will happen more quickly but some, unfortunately, may be a little slower. I think that all members of the committee were strong in their view that, if we did not start to put goals, if we did not start to put in time frames, if we did not start to put realistic expectations on this basin, all we would do was endure a talkfest for the next 20 or 30 years.

I hope, more than anything else, that this committee's report, in which so much time and effort has been invested, will be taken seriously not only by South Australians but also by those living in other jurisdictions. Again, I think it was the shadow minister who said that this is a 'warts and all' report. It speaks quite calmly and quite clearly of our limitations in this state, the things which we have to address and the things which we have to fix up. It looks equally fearlessly across the basin and, where there is fault, where there is error, where there is a need to change or improve, we try to say, without malice and without apportioning blame, 'These are the things that need to be fixed.'

No other parliament in this nation has yet devoted the time and effort to this sort of study. So, until anyone else comes up with a better document, I would say that this is the definitive document on the state of health of the Murray River for this nation, for its academics, for its governments and for its people into the foreseeable future. Therefore, I hope that, in the spirit of Australian nationalism, the parliaments of New South Wales, Victoria, the ACT and the commonwealth take this report and read it carefully. By all means, examine its failings and its weaknesses, if there are any—although I think members of the committee would perhaps be vain enough to hope that we have not made too many mistakes; we tried to be careful with it. But, if there are faults, let them find those faults and let them tell us what the faults are, because then we have moved the debate on again.

If there are no faults, or if there are things with which they agree, I hope that they will use it as a blueprint as equally as the government of South Australia—whatever its complexion—should use it as a blueprint for the next decade, or so, in South Australia. It should not be seen as an end. It should not be seen as something to put on a shelf and gather dust. This should be seen as a living document—the work of seven members of parliament. It will probably be one of the achievements of which those seven members will be most proud in their parliamentary careers, I would venture to say.

It is a living work of seven members of parliament given to this House in the hope that it will continue to be a living document, and the hope that it will continue to be something on which not only this parliament and successive governments in South Australia will build but on which the peoples of this nation can also build so that in 30 and 40 years we have a healthier and better river.

Mr LEWIS (Hammond): I trust that I may be permitted to speak for more than 10 minutes. I have no idea how I might go about seeking approval of the House for that purpose and would therefore, sir, immediately seek your advice about that.

The DEPUTY SPEAKER: The honourable member will need to seek to suspend standing orders at the end of his 10 minutes if he wishes to continue.

Mr LEWIS: Thank you, Mr Deputy Speaker. The reason for my making that request was, of course, because of my strong feelings about one element in the report to which I will come in my explanation a little later. I need to say, though, that that element is simply the area covered by the Murray-Darling Basin drainage area in South Australia and now to be included in the Murray River Water Catchment Management Board area of control, and that is the area which has been extended to cover all of the Mallee. I will come back to that in a little while.

In the first instance, though, so that people who may read these remarks sometime later and who may not have on hand at the time they read the remarks made by members about this report the report itself, I would therefore like to incorporate in my remarks the statistical table which appears in the report and which is known as table 1. I assure you, sir, that it is purely statistical and it sets out the area and mean annual water outflow of the Murray-Darling Basin as a percentage of each basin state.

The DEPUTY SPEAKER: Is the member for Hammond seeking leave?

Mr LEWIS: Yes.

Leave granted.

Table 1—Area and mean annual water outflow of the Murray-Darling Basin as a percentage of each Basin State

Source: Crabb, 1997

State	Total areas of states (km^2)	Area in MDB (km^2)	% of states in MDB	% of the area of the MDB	% of mean annual outflow
New South Wales	802 081	599 873	74.79	56.65	46.6
Victoria	229 049	130 474	59.96	12.32	36.6

Table 1—Area and mean annual water outflow of the Murray-Darling Basin as a percentage of each Basin State

Source: Crabb, 1997

State	Total areas of states (km^2)	Area in MDB (km^2)	% of states in MDB	% of the area of the MDB	% of mean annual outflow
Queensland	1 776 620	260 011	14.63	24.55	14.9
South Australia	984 395	68 744	6.98	6.49	0
Australian Capital Territory*	2 367	2 367	100.00	0.22	1.9
Totals	3 794 512	1 061 469	-	100.00	100.00

*—excludes Jervis Bay

Mr LEWIS: Members will, of course, have access to the report. This table, as table 1 in the report, sets out the areas of the states in total, and the area in the Murray-Darling Basin, as a percentage of that state which is covered by the Murray-Darling Basin, is then the next column of information. The percentage of the area in the Murray-Darling Basin is the next column and the percentage of the mean annual outflow is the next. Whilst New South Wales is not quite as big in land mass as South Australia, having only 800 000-odd square kilometres as opposed to nearly one million square kilometres, nonetheless, New South Wales has well over half of its state (56.65 per cent of it) in the nearly 600 000 square kilometres that are drained in the Murray-Darling Basin by direct surface run-off.

Queensland, however, has an area of 260 000 square kilometres, which is only 14 per cent of the state and which represents, notwithstanding that, the second largest state in the whole system of almost 25 per cent. Yet Queensland, until very recently, is outside any involvement in discussions and deliberations on the future of the Murray-Darling, and that is really quaint because it is a quarter of the whole area, and what they do in Queensland has a very dramatic impact on the rest of us because of the incredible impact it will have and does have on the Darling.

If we look, then, at South Australia, with about one million square kilometres, we see that the area which is in the Murray-Darling Basin is just under 70 000 kilometres, or about only 7 per cent of the total state and about the same proportion of the Murray-Darling Basin itself—in fact, it is 6.49 per cent. The percentage of the mean annual flow contributed from South Australia—because the streams are so erratic, so small, or both—is insignificant in total impact and is registered as zero, whereas the Australian Capital Territory is registered at 1.9 per cent of the mean annual flow.

New South Wales contributes 46.6 per cent of the mean annual flow, with Victoria contributing 36 per cent. Queensland contributes 14.9 per cent of the total system but, when one considers that that is in the Darling alone, one realises that that is a fairly substantial part of the Darling's total flow.

They are important figures, because they determine how some people upstream think about the river and what they believe ought to be the case downstream, and that brings me to my next point, namely, the debate about who owns the rain. In my judgment, this nation needs to lead the world now by proclaiming that if there are ephemeral streams in which there is run-off, once the water reaches the stream, it ought not to be seen as belonging to the land-holder. I am talking about surface streams in run-off.

If the water has not yet reached the stream and the land-holder seeks to intercept the flow, using contour banks and dams to hold water for use on their property, I do not have a problem with that. I have a problem only with damming a stream in the system to catch it and hold it at the pleasure of the owner of the land. We in South Australia have that groundbreaking legislation, and it is a credit to this government and the ministers that we have it. It is important to recognise the consequences of not having it, because it will mean that we will find landholders in the upper catchments continuing to deplete the system by withholding run-off in the streams such that any water that might run down that stream will first go into the catchment storage owned by the land-holder—if we do not do something about it—with disastrous consequences.

It is, as other speakers have said and this report says, the most significant piece of South Australia's natural eco-systems as far as water supply is concerned. Without it, the state would simply be stuffed; it would not be able to survive. There would be no capacity to sustain anything like the current population we have in this state if we did not have it, leave alone the effect it would have on such substantial industries as exist in the Iron Triangle and even further afield, as well as here in the metropolitan area and, indeed, much of the agricultural area on Yorke Peninsula.

I want also to draw attention to the parlous state of the inland fishery. The government must accept the recommendations made by the ER&D Committee which we, as a select committee, found were also valid, namely that commercial fishing of native species in South Australia should be banned, and that the use of nets to catch fish of any kind ought to be banned because they do not discriminate between the species. Even though the target species might be small carp, for example, you will catch small cod, and they will drown, and you will not be able to restore them to the population of living Murray cod in the system.

I would like to wax eloquent about that matter, but I would refer everybody who may be interested in it to the report which was made by the ER&D Committee and by this committee itself on those matters and the evidence that has been presented to it. The government is dragging its feet, if not some other part of its anatomy, in not dealing with that right now.

I turn now to water allocation use and metering. That is a problem that we have in South Australia that we have been addressing systematically, more responsibly for 20 years than occurs in any other part of the riverine drainage system. We are now on the point of having all but one of our diversion industries properly metered and supplied. I seek leave to continue my remarks.

The DEPUTY SPEAKER: Is the member wishing to suspend standing orders to do so?

Mr LEWIS: Yes, sir. I move:

That so much of standing orders be suspended as would otherwise prevent me from continuing my remarks for a further 15 minutes.

The DEPUTY SPEAKER: Order! There not being a majority of the whole number of members of the House

present, ring the bells.

While the bells were ringing:

The DEPUTY SPEAKER: Order! I have counted the House and, as there is an absolute majority of the whole number of members of the House present, I accept the motion. Is it seconded?

An honourable member: Yes.

The DEPUTY SPEAKER: The question before the chair is that the motion—that the member for Hammond be granted extra time to speak to this particular matter before the House—be agreed to.

Mr HANNA: On a point of order, Mr Deputy Speaker, was that up to a particular period, for example, for another 10 minutes?

The DEPUTY SPEAKER: The chair understands that the member for Hammond has requested an extra 15 minutes. The question before the chair is that the motion be agreed to. As I hear no negative voice, the motion to suspend is agreed to.

Motion carried.

Mr LEWIS: I thank you, Mr Deputy Speaker, and the House for its indulgence. I immediately then move on to those matters which I wish to address that arise in consequence of the great work that was done by the select committee in canvassing all the issues which could have been canvassed in coming to the conclusions it has, and making the recommendations which it has made, the whole 71 of them, in consequence of the evidence they have received and also—

Members interjecting:

The DEPUTY SPEAKER: Order! I apologise to the member for Hammond. Would members please take their seats or leave the chamber? The member for Hammond.

Mr LEWIS: It was a great committee to work on. That is one thing I will say. Members were able to state their mind plainly in deliberative sessions and matters were considered on their merit. It was a great committee to work on because it not only comprised Liberal and Labor members but also an opportunity was afforded me, as an Independent—although I think at the time I became a member of the committee, I was a member of the Liberal Party—to continue as a member of the committee without demur, I think. Likewise, the member for Chaffey. Both of us have substantially, but not necessarily, identical interests in seeing the problems of the Murray in South Australia properly addressed. Those problems cannot be addressed unless they are addressed across the entire basin system.

The final recommendation relates to the community forum matters, and the Murray-Darling Basin Ministerial Council, we recommend, should direct the Murray-Darling Basin Commission to convene a basin-wide forum to consider the recommendations outlined in this report. It is my personal belief that the Murray-Darling Association and the organisation of which it is a derivative (the old Murray Valley League) ought to be the medium through which we could most effectively succeed in doing that, although we did not recommend it as a committee. I strongly hold the view that the river is, as the minister has said, a national treasure. It is a multiuser resource. It is not just for the people who want to use it for recreation, whether fishing or water sports; it is not just for the irrigators; it is not just for those who want to watch birds; it is not just for those who want to preserve their connections to it as indigenous Australians and the sacred sites along it: it is all those things and more. It is an economic engine for the entire nation of Australia.

Accordingly, notwithstanding the fact we could not find engineering fixes which would ignore some of the elements to which I have just alluded, if you pipe the freshwater and let the river become a salt drain or, alternatively, pipe the salt in an attempt to keep the river fresh, it would be an enormous expense and destructive of certain aspects of the river environment as we know it. It is most important to my mind that the Murray-Darling Basin Commission take up this recommendation, which I trust will be directed to it by the Murray-Darling Basin Ministerial Council. If that does not happen, then the general level of understanding and the bigoted ignorance that exists in some communities in the Murray-Darling Basin will continue to be a problem for us as a nation. Those of us who live in the system cannot continue to expect to live there ignoring the interests of all the others who either live in it or, as is the case in South Australia, depend upon it for their lifeline in the water they get. Broken Hill, though not in South Australia, is one such community; there are others.

Let me now talk about water allocation and metering. This state has a great duty to put secure diversions in place to stop the waste of water which seeps from channels, and that was discovered in evidence and acknowledged by this committee. However, what we saw and what we learned about the practices interstate are very disturbing. They are at best very primitive and, because they are so primitive, they are very destructive in many instances. They lose water not only through seepage but also unnecessarily through evaporation. They are very inefficient ways of distributing water across landscape for irrigation purposes. It is far better to do it scientifically, as is done in South Australia, using tools such as neutron probes, and so on, to determine how much water is required and apply precisely that amount—and no more than that amount, because any more than that amount is a waste; not only is it a waste but also it creates a problem.

That brings me then to the next category of recommendations about which we sought to make remarks, that is, salt. Mobilising salt by such irrigation practices and allowing it to do the damage that it will do to ecosystems and economic crops that rely upon freshwater is not just senseless, or indeed worse than that, stupid: it is grossly irresponsible, as we in the current generation have a responsibility to future generations in stewardship of everything we have while we are here on this planet. I want to draw attention to the fact that salt need not necessarily be seen just as a problem. Where it arises as a problem we should use it as a resource, rather than see it as incapable of being dealt with in any other way than to try to shift it from where it is causing immediate damage.

Let us use it as a resource. The technology exists. Even though it might be necessary to subsidise the application of that technology, at least in the first instance, the kind of work that has been done in research at Lake Tutchewop clearly indicates that in time, if not almost immediately, the use of the salt as a resource and mining it can be economically viable. Let me conclude by saying that it will be the cheapest way to get rid of tens of thousands of tonnes of salt annually. Extract it from the liquors and turn it into a commercially saleable commodity.

Addressing the problem of salinity brings me to the next topic I wish to discuss, that is, the incorporation, referred to on page 25, 'South Australia's portion of the Murray-Darling Basin'. We have shaded in a whole area of land that extends south of the Pinnaroo railway line and said that that is part of the Murray-Darling Basin. That is utter claptrap, and I strongly disagree with the committee on that point, because

the waters which fall on that land cannot and do not run through any river or stream into the Murray River. There is no stream from the Mallee anywhere into the Murray River. More importantly, we know now that the water that is underground in the Mallee is moving, albeit very slowly, north-westwards from the Grampians through the western districts of Victoria and through the aquifers, that is, underground, in the South-East.

It is no different when it arrives in the Mallee at Pinnaroo or Lameroo than it was as water when it arrived at places such as Bordertown, Keith or Coonalpyn. Why on earth then we arbitrarily decide to put the Murray-Darling boundary somewhere just south of Pinnaroo is beyond me. It makes even less sense when we recognise that, through the strategy which is to be and is being adopted and the policy to exploit that underground water, when it arrives at the Mallee as freshwater and rises to the surface or close to the surface as a consequence of the discontinuity of the Hindmarsh clays in that area, we are depleting the level, the elevation, the altitude of the surface of the water in that aquifer by a planned rate of 10 centimetres a year; if not 10, it is five. We are certainly exploiting it. We are drawing down the water so that there will be less head pressure on that aquifer pushing the water north-westwards towards the Murray where it is likely ultimately to end up in a few hundred thousand years.

For people to be saying in henny-penny fashion that the sky is falling in if we do not incorporate Pinnaroo, Lameroo and the underground water exploitation industries that are arising there under the control of the Murray River Catchment Water Management Board and that it will fall in because by not incorporating them in some magic way they will contribute to the saline ground water arriving at the river is silly, improper and unnecessary. It complicates the job of that Murray River Catchment Water Management Board unnecessarily. It is not part of any catchment run-off network. I repeat that with emphasis, and I am disappointed that I could not convince my committee colleagues of the logic of my argument, especially when one looks at the fact that on page 25 (and this is the only mistake in the whole report) there is run-off from the eastern Mount Lofty Ranges and at the fact, too, that there is a huge area north of the river that is now included, extending to Yunta and quite inaccurately.

If that area on page 25 is included, I know from my own expert knowledge, derived from mining and reports I have commissioned in the Yunta area, that the run-off that comes through the Yunta Creek and ends up running out into the plains south of Netley Gap Station, about 60-odd kilometres south of Yunta, comes from 60 kilometres north. That runs into the basin, yet it is not included. That is irrational. It is just as irrational as considering the water that goes into the aquifer in the Grampians and moves north-west towards the river as being water which is part of the Murray-Darling Basin. If it is, then all of it ought to be included in the Murray-Darling Basin, not some of it. The policies which ought to be adopted in the development of appropriate exploitation of that underground water in the Mallee ought not to be confused with the policies that are absolutely essential in, for instance, the Bremer Angas Basin area on the plains around the Strathalbyn, Langhorne Creek and Milang part of the river in our state.

Whilst there are many others things that any and all of us could have said, I have used the time the House was kind enough to give me—and I thank the House for that. I again commend all the members of the committee, the staff and the people who came before the committee to give their time voluntarily to provide it with evidence it needed to come to what I consider to be one of the most important reports the parliament has ever received from a committee of itself at any time since I have been here and maybe at any time since it was established.

Mr WILLIAMS (MacKillop): I am somewhat at a disadvantage to previous speakers, because I think I am probably the first member of the House to speak today who was not a member of the select committee. I remember that when this select committee was set up there was quite a flurry around the House. It was one of the few select committees I have seen set up in my short time in this place where there was an excess of members desirous of being on it. I was one of those members who would have liked to be on the committee, and I believe the committee was increased at that time to accommodate those members who wished to be on it. That in itself indicates the importance of this topic not only to this parliament and state but also to the nation.

The Murray-Darling Basin—the Murray River—impacts on my electorate. The lower lakes—the Coorong lake, Lake Albert and Lake Alexandrina—adjoin and are part of my electorate and, with the Coorong, form an important part of the economy in that part of my electorate around the lakes based on Meningie. There is a very viable fishery based on the lower lakes and the Coorong, and quite a few of the fishermen who participate in that fishery are constituents of mine.

Extensive irrigation is also carried out, particularly south-west of the town of Meningie on the Narrung Peninsula, and that enables a very sizeable and viable dairying industry to operate in that area. Like a lot of other members, I am very interested in what occurs at the bottom end of the river.

For many years I have also had a relationship with the upper reaches of the river in South Australia. I have holidayed with my family on the river consistently for probably the past 12 or more years, using the river for recreational purposes. Having close family ties with the Loxton area, I have many contacts amongst the irrigators in the Loxton area, so I have considerable first-hand knowledge of the issues which have been looked at by this committee. I look forward to the opportunity to read the report and study its recommendations but, even without reading the report, I would like to make some comments to the House with regard to the noting of this report.

The first thing that needs to be said is that we have indeed changed the environment. The environment of the whole of this state is considerably different from what it was less than 200-odd years ago when the white man settled here. I know that in the heart of my electorate, in the mid and lower South-East, we have changed the environment considerably by draining that area. It was basically one huge wetland for much of the year from Salt Creek almost to the Victorian border, and principally dry land farming is now carried out over that area. We have changed the environment incredibly in that area. We have done the same in the Murray-Darling Basin. If we concentrate on just the South Australian portion of the river, the river trade with the paddle-steamers plying up and down the river changed the environment considerably. One of the first things that had to be done to allow the river trade with the paddle-steamers up and down the river was to clear the river of logs, and that has had an incredible impact on the river.

Just from anecdotal evidence that I have picked up over the years, I think that one of the biggest things that has caused

the demise of the native fish stocks in the river has been the clearing of submerged logs from the river. I remember reading in some books that in one area up towards Echuca thousands of tonnes of logs were pulled out of one small section of the river to allow the paddle-steamers to go through. Prior to that time that would have been a fantastic breeding ground for Murray cod.

Through the extraction of water from the river we have changed the amount of water that flows through its entire length. We have probably changed the nature of the flow of the river more by installing weirs and locks in the river than anything else. To some extent, prior to white settlement of this country, the river could be described almost as ephemeral, because at times it consisted of not much more than a series of waterholes and lagoons, whereas at other times it would have been a raging torrent, spreading kilometres in width across the flood plains. That is how the flood plains were developed.

Now, neither of those things occur. Neither does the river level drop substantially and go back into forming a series of linked or connected water holes; nor does it flood out across the flood plains. Both those things would increase the health of the river if they were able to happen. I do not think that the substantial lowering of the river level on a regular basis will ever happen again. I hope that the flooding of the flood plain does happen at least on a semi-regular basis.

I believe that we are technically and physically able to manage floods across the flood plains, certainly in the South Australian sector of the river, without impacting on the economies of the towns and people who live along the river, and the sooner we move to do that sort of thing the better. Obviously, in the past 10 years when we have been more attracted to some of these ideas throughout this part of the basin, and even in the upper stretch, we have not had huge storages of water. We may not have had the capacity to do that on a regular basis, but if we put that into part of the management plan it can be achieved, and it will substantially lower the amount of salt.

Obviously, the first couple of times it will, in fact, increase the amount of salt in the river. However, I think if we continue that, over a period of time, we will start to flush some of that salt off the flood plains and out of the river, because, eventually, the salt goes back into the river. Every time there is a heavy rain event—and they do occur on the flood plains—more salt washes into the river. Work has been done along the river with salt interception schemes. I heard a media release last week that I think said that the success rate of salt interception schemes in the South Australian sector of the river have been remarkably successful. I think they have talked about 90 per cent of the salt being intercepted before it flows into the river adjacent to Waikerie in the Wilpunda area. I know the Public Works Committee visited that area. We visited the Stockyard Plains area where the highly saline water is pumped away from the river into an evaporation pond. That area has become quite an important wetland for bird life, but it also carts highly saline water away from the river and largely allows the water to be evaporated, leaving the salt behind.

As the member for Hammond quite rightly pointed out, there are opportunities for us to recover and use that salt in many ways—not only sodium chloride but a whole range of salts in the river. If members have had the opportunity to visit, say, the Dead Sea, which is nothing more than a giant evaporation pond that is landlocked some 450 metres below sea level, there is a huge industry there of recovering salts that are exported all over the world by the Israelis for a whole variety of uses.

As the member for Hammond pointed out, we must not look at all the problems we have with the river as being downside problems. With a little lateral thinking we can actually see an upside to a lot of the issues. I believe that by management of, say, the water flows and irrigation practices, and by continuing best practice in salt interception schemes, we can, in fact, get many hundreds of years of use out of the Murray River in South Australia. It will continue to be one of the most important resources that we have in this state.

The Hon. D.C. WOTTON (Heysen): I want to take this opportunity to thank all members who participated in the debate today in the tabling of this very important report. I am delighted that all members of the committee have spoken to and expressed support for the report. I would like also to thank the member for MacKillop, who was not a member of the committee but who I know, as he said during his contribution, would very much have liked to have been. I would like to thank him for his contribution as well.

As members of the select committee, we regarded ourselves as very fortunate to have had the opportunity to see first hand the unique natural beauty of the Murray-Darling Basin and to gain an appreciation for the complexities associated with the management of this multi-faceted resource. In particular, I think we have all appreciated the opportunity to meet with the large body of people who provided evidence in one form or another and have made such an important contribution to the preparation of this report. On numerous occasions in this place, I have said that we are so fortunate in this state to have the commitment and dedication of so many people in the community who are so supportive of what we are trying to achieve through this report.

During the inquiry, the select committee became increasingly conscious of the fact that whilst development of the basin's resources has delivered considerable economic and social benefits, we have become very much aware that these benefits have come at a very significant environmental cost at both a state and basin-wide level. I know that I said this when tabling the report, but I want to say it again, because the magnitude of this cost is well established in South Australia and the middle reaches of the basin, but only now is it really becoming apparent in the upstream reaches. As all members of the committee have indicated, if we really want the Murray-Darling system to continue to provide economic and social benefits into the future, we have no alternative at all but to change our current approach to the sharing, management and use of the basin's natural resources.

I think most members of the committee have also referred to the ongoing responsibilities that governments will have in carrying out the recommendations of this report. In fact, I know at least two members have referred to this report as a living report. In other words, for decades there will be recommendations that will need to be recognised and picked up by governments of whichever persuasion. It is good that that is recognised. It is important that we continue to monitor and review what has been raised in this report and in other areas.

That is why I am pleased that one of the recommendations we have not referred to is that the South Australian parliament establish a standing committee for water resources to ensure that the parliament has oversight of issues associated with the management and use of all water resources in

South Australia and that the new standing committee for water resources be required to provide the parliament with a bi-annual report on the implementation of this committee's recommendations and other matters. I will not be here to participate in that review but I commend that recommendation to the parliament and to the House, and I look forward to continuing to be informed about matters relating to this very vital report.

Motion carried.

HINDMARSH SOCCER STADIUM

The Hon. R.G. KERIN (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.G. KERIN: The Auditor-General's interim report on the Hindmarsh Soccer Stadium raises several issues that the government will address as a matter of priority. In his report, the Auditor-General indicates that an amendment is required to section 32 of the Public Finance and Audit Act to remove doubt about his authority to conduct his inquiry. The government believes that any uncertainty about the legal authority of the Auditor-General to complete his inquiry should be removed. That being the case, the government will introduce legislation tomorrow to specifically empower the Auditor-General to undertake and finalise his investigation and report.

The interim report also indicates that the Auditor-General envisages that his report will be finalised in August for tabling in the spring sitting of parliament. In order to ensure that this timetable is met, the legislation will impose a deadline on the reporting date: at this stage, it is likely to be at the end of October. The legislation will require that the report is tabled irrespective of any legal action then pending. The government does not believe that access to the courts should be denied to any individual—be that private citizen, member of parliament or public servant. The legislation will seek to ensure that this principle is maintained within the constraints of the restriction that the report must be tabled by the legislated deadline. To avoid any suggestion that the legal processes may delay the tabling of the report, the legislation will provide that the report shall be tabled irrespective of any pending or contemplated proceedings.

SELECT COMMITTEE ON PARLIAMENTARY PROCEDURES AND PRACTICES

The Hon. R.G. KERIN (Deputy Premier): I bring up the interim report of the select committee and move:

That the report be received.

Mr LEWIS (Hammond): I am not sure at what point I can move that the report be referred to the Standing Orders Committee but I would like your advice on that, sir.

The ACTING SPEAKER (Hon. G.A. Ingerson): The advice is that at this stage it is a procedural motion and we need to proceed with that, and then there can be another motion to refer it if you so wish.

Mr LEWIS: Will that be debated in private members' time or will it be debated—

The ACTING SPEAKER: We are dealing with committee reports at the moment. If you wish to debate it in private members' time that is your desire but I will take instructions from the Deputy Premier and report to you.

Motion carried.

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

That the report be noted.

At the outset, I thank the members of this select committee for the work they have put in over the last couple of months, and also the Clerk, who gave us great assistance. What we are tabling today is actually an interim report, and we will be inviting further submissions on just a couple of issues, involving estimates committees and the referral of legislation to committees.

The interim report presents a range of recommendations for the consideration of House of Assembly members. These are primarily aimed at increasing the efficiency of debate in the House. Part of the purpose of this is to review speaking times to free up special time on four days per year to debate matters of public importance.

The committee considered at what stage it would most suitable to introduce a trial of whatever is agreed as the changes to be put forward, and it was agreed by the committee that the changes recommended be considered as a package and trialled for the first session after the election before a decision is made on permanent implementation. So, that will be the first session next year.

No doubt members will read the report with interest and there will be many and varied views on the proposals which have been put forward. The committee spent much time grappling with the much raised issue of sitting times and the number of sitting days. There has been a lot of criticism of sitting times over the years. Once you sit around in a group and try to discuss possible changes, those criticisms are shown to be somewhat simplistic as to when else the House can really sit: on Mondays the government has cabinet and the opposition has shadow cabinet, on Tuesday mornings party meetings are held, on Wednesday mornings committee meetings are conducted, on Thursday mornings we are already sitting and on Friday members need to be in their electorate offices and, of course, country members also need to get back to their electorates.

I think that many of the suggestions and criticisms from non-political sources really ignore the fact that members of parliament have a great many duties other than just spending time on North Terrace. There is no doubt that the role of an MP extends pretty broadly nowadays and, because of increasing electoral demands, members are kept pretty busy for most of the year. That is certainly relevant when we come to talk about the number of sitting days.

If, in fact, there is X amount of legislative work to do during the year, that should really determine the number of days on which the parliament needs to sit, because there are many other jobs that both members of parliament and ministers can attend to. I know that, in the case of ministers, there are more requests for meetings than they can attend, and extra sitting days would certainly reduce the number of groups that ministers would be able to see in a year.

There are many recommendations in the report, on which I will leave it to some of my colleagues to comment, and I look forward to what comes back. One of the suggestions put forward relates to question time, where a limit of five minutes and a minimum of eight questions for the opposition is recommended. A change to sitting times on Wednesdays also has been put forward for discussion. A lot of these points have been raised for discussion, and I would encourage all members to read the report, to consider what has been put forward and, when we come back in the spring, let us have a debate about what we should take forward and, hopefully,

we can trial it in the first session of next year, with a view to reforming some of the aspects of parliamentary procedure.

Mr HANNA (Mitchell): I thank my fellow members of this committee for a fairly frank and interesting passage of proceedings. This was another committee where members from three different parties were able to discuss issues common to us all in a frank and open manner. We had the benefit of some of the more senior members of the House—in particular, the member for Bragg, who has been here for a very long time—through to the fresh eyes of the member for Chaffey, the member for Norwood and me. And, of course, we had the valuable input from the Deputy Premier, who has a critical role to play in the operation of our current standing orders.

The report that has been brought up today is an interim report, as was suggested by the Deputy Premier. The issue of estimates committees was seen as too hard, in a sense: we just could not come up with an agreed position on that matter in the time that we had available. I expect that the final report—if we have a final report from the committee in the current parliament—will address that issue in some detail.

I thought it was more important for me to talk today about what is not in the interim report rather than what is in it. The report that we have brought down today is easy to read, concise and sets out in a series of points those reforms that we suggest would make this place more relevant and more efficient. However, we have not addressed the procedural issues that might arise from the abolition of the upper house. It is no secret that I would prefer a unicameral parliament of South Australia. However, that reform could only ever successfully take place if we were to introduce procedural safeguards to prevent a party with a narrow majority running riot procedurally over the other parties represented in the parliament. So, we have left that thorny issue for another day. I think that reform along those lines would make parliament more relevant and more efficient and would renew the confidence and respect of individual members of parliament and of the democratic institution itself. I suppose the fact that we have not addressed that issue will be of comfort to many of the current members of the parliament.

We have largely left alone the issue of sitting times. It is a frustration to many members, particularly those with families, that occasionally we have very late nights. There should be no need for it. After 10 p.m. is not the best time for doing business for most of us. Yet, as the Deputy Premier has said, when we sat down to look at alternatives, there were problems every way we looked. So, minimal reform is suggested in that respect.

The whole committee agreed that the best time for trialing procedural reforms, such as we have suggested, would be in the first session of a new parliament. At this point in time, we do not know who will win the prize of government, so both parties can look at these suggested reforms. However they calculate that certain reforms might benefit government members and certain reforms might benefit opposition, or Independent, members, the fact is that we are taking our chances if we agree to the implementation of the reforms on a trial basis, because we do not know who will be able to take advantage of any of the changes from the point of view of being in government.

That is all I have to say about the interim report. It has been a worthwhile process to look afresh at the way in which we do business in parliament. Really, these are a fairly minor procedural series of reforms. Indeed, one could even say that they are merely tinkering around the edges. But I think there are some important reforms that will cut out a little of the time wasting and unnecessary formalities and enable us to get to the point more quickly more often.

The exception to those remarks is the suggestion that we have a series of public debates, with topics suggested by the Standing Orders Committee which ultimately would come from the initiatives of the major parties, one would think, and we therefore seek to have a series of genuine public debates, and maybe get away from the day-to-day petty politics that so often characterises debate, even on awesome issues in the House.

I commend to the House the interim report of the Select Committee on Parliamentary Procedures and Practices. I look forward to the deliberations in the Labor party room, and we will see how much agreement we have after consideration of the various reforms after this session of parliament ends.

Mrs MAYWALD (Chaffey): I rise to support the interim report of the Select Committee on Parliamentary Procedures and Practices. It has been an interesting committee to be involved in. Often the parliament is criticised for the way in which it handles its business. When we have a committee that is sitting down and talking practically through the issues rather than through the media, the complexities of the issues become evident, and the ability to change the system is not necessarily as easy as members of the public would have us think.

The major areas of reform that have been suggested in this interim report will affect mainly practices and procedures within the parliament in relation to debate, committees, some changes to sitting times, the order for business in private members' matters and various other practices that I believe will streamline the management of business within the House, and I think that is a very important step forward.

I am pleased that the committee has determined to do this as an interim report to give us an opportunity to further deliberate on a number of the other issues about which we were unable to reach a conclusion. That is a very important decision that the committee has made.

A couple of the areas on which I believe we need further deliberation are committees and the relevance of committees to the parliament, and the referral of legislation to those committees to enable more effective examination of bills in a forum where more members can participate in finding out information about what a bill really means and how it will impact on their constituencies. I think it is a better way to deal with legislation than just looking through the initial submissions that are received. There seems to be some confusion as to how it may work, and the committee definitely needs to deliberate further on that.

The other issue is the estimates committee process, and that has proved to be a difficult one also. Nobody seems to like the way the estimates process operates at the moment, but nobody seems able to come up with a better way to do it to provide the opposition an opportunity to effectively cross-examine the government on matters of the budget. We need to deliberate further on those and I am pleased that the committee will be continuing its efforts along those lines.

We need also to be looking at parliament and perhaps looking at having an independent assessment of what it is that we do in here. Once we are elected as members of parliament, we get tied up in the procedures, the processes and the precedents that have been set, and we seem to lose track of the fact that there may be other ways of looking at things.

Perhaps we need someone who is independent and not looking at it from a party perspective and who may be able to give us advice on how things may work more effectively, equitably from both sides, rather than trying to determine if one side would lose an advantage that it would like to retain. That might be another issue that we can discuss further as the committee continues to deliberate.

The other area that we discussed at length during the deliberations of the committee was the issue of the public perception of the parliament. This is a very important issue. We have a very poor image out there in the public—some of it deserved, some not so—but it seems that we do not do a very good job of telling the public what it is that we do. This is reflected in the very public debate on sitting times of the parliament, and the assumption of most of the community that if we are not sitting in this place then parliamentarians are not actually working.

I support the recommendation to have a community liaison officer who can work with the parliament and with the community to actually effectively get the message out about what it is we are actually doing so that people can see that the parliament does provide input into the daily lives of everyone in the community and that it is a very important role that parliamentarians play. Whilst the scepticism out in the community indicates that the majority of people think otherwise, we really need to do a lot on our image and get out there and be actively promoting what it is we do and the importance of what we do. There is an opportunity for that particular officer to liaise through the education officer also and ensure that our young people have a better understanding of the parliamentary process as well.

It has been an interesting committee, and I thank the members who have been involved, as well as our research officer, Geof Mitchell, for his efforts in putting it together. It is certainly not easy to effect change but we are moving in the right direction with this interim report and I look forward to the further deliberations of the committee.

Ms CICCARELLO (Norwood): I rise also to support the interim report. Since being in this place, I have been strongly critical of the parliamentary process, and I agree with the other members of the committee who have already spoken that the issue of how this parliament runs is quite complex.

It is easy to criticise; however, once we get down to examining how the parliament runs, it is very difficult to make substantive changes. Those that have been highlighted are the sitting times and how we can possibly vary those sitting times when we have the constraints of major parties having their party meetings, caucus meetings and cabinet meetings, as well as the parliamentary standing committee meetings. However, we have looked at making some changes in those areas.

We have recommended substantive changes to the Address in Reply debate. It is recommended that it be held only in the first session of parliament. It is recommended also that the time available for the Address in Reply debate be reduced.

Regarding question time, frustrations have been expressed by whoever happens to be in opposition. We saw today the frustration of not being able to ask many questions during the allotted hour and, so, a recommendation has been made that a time limit of five minutes be placed on ministers' replies and that the opposition of the day be permitted a minimum of eight questions. That surely should make opposition members much happier about the procedure. Estimates committees have been a cause of frustration for many members and, again, we have criticised the estimates process. However, as for legislative reasons we cannot involve members of the upper house in the process, it would be very difficult to make changes.

That has been highlighted as an area where we will be asking for further submissions and suggestions in terms of how that process can be improved, in addition to providing greater scrutiny. It is a farce at the moment. For some portfolios we are allocated half an hour and, if we get dorothy dixers from the government, it makes it very difficult for an opposition to address issues seriously. I would commend the report to members and ask that further submissions be made to the committee so that, at the end of the day, we can have a much better system for the parliament.

I would agree with the member for Chaffey that the perception of the parliament is not good in the eyes of the community, that we are not very relevant and that we do not do very much. However, I point out that members of parliament do a lot of work outside this place, which is very important to the community. It is very important that we improve this public perception. I believe that the media plays a very significant part in promoting this negative image of parliamentarians and also the parliamentary process. I think that the media are remiss in this respect and are actually mischievous in the way in which they portray us.

They know exactly how the parliament operates and the amount of time available to people to be able to participate in debates, taking into account all the other things that go on in this chamber. However, rather than looking positively at the legislation we do pass and what happens, they highlight only the negative aspect. I think that one of the issues—which is not really part of this report—is the fact that members have recently been criticised for having the temerity to travel overseas to investigate particular issues in another country, and this is seen as a bad thing. We expect chief executive officers of companies and people in all facets of industry to train themselves to improve their knowledge in many different areas, yet, for some reason, parliamentarians are expected not to participate in these things.

We come into this place not being expert on every area. In fact, most of us are lucky if we are expert in one or two areas, and we are required to make decisions on very complex legislation in terms of introducing new things to the community, yet when members try to avail themselves of the opportunity to open their eyes and see what is happening in other places and to bring initiatives back to South Australia they are criticised. The fact is that, as parliamentarians, we are entitled to $8 500 annually to improve our knowledge. If we compare that to what many other industries and companies provide to their employees it is really a drop in the bucket.

I would hope that, through this process, the media does take note of the parliamentary process, what we do and what changes we are recommending to ensure that we can continue to make legislation that is relevant to our community. By streamlining the processes of parliament, we have included the opportunity for members to debate issues of importance to the community. I think that some of us are often frustrated that we must make decisions on particular issues when we do not have a lot of time to research the issues that we will be debating. This will certainly be an opportunity to ensure that we can participate in some meaningful debate on issues of relevance.

Sometimes new initiatives, such as gene technology and biodiversity, are already happening and in place in the community, yet we have never had the time to look into it in the parliament and we are passing legislation that is not keeping up with what is happening in the community. I recommend the interim report to the parliament and look forward to the final report.

The Hon. G.A. INGERSON (Bragg): I have very much enjoyed being part of this working committee. It is not an issue that I have spent a lot of time studying over the 18 years that I have been in the House but, having been a Deputy Premier and Leader of the House, many of the issues raised were fairly common and I think that the committee has, with good intent, given some practical consideration to certain significant issues. The view that we should have an Address in Reply debate once a session is, I think, is a good thing. It will still enable all new members to have the privilege of expressing their views when they come into the parliament, but it will free up a lot of general time in the other three years to debate other issues. I think that is a good recommendation and one that, hopefully, will be accepted.

The question of sitting times is always a major issue. It seems to me, though, to be driven by the media and people outside this House more so than by the members themselves. When we look at the problem concerning sitting times we see that it really occurs only three times a year, and that is at the end of each session. It occurs usually because of the lack of organisation of business that arises not necessarily in this place. We have that problem at each end of session, and I think that we ought to be dealing with that as a process quite separately from sitting times. We have suggested, as a committee, that consideration be given to starting earlier on Wednesday and finishing at 6 o'clock.

I think that anything we can do to make this place more family friendly and to encourage members to get out of this place at a reasonable time is a good thing, and I commend that recommendation. In terms of question time, I suppose that I was the member who took away the 10 questions from the opposition, having been in the position I was in during the previous term. It was a bit of a farce, because we always ended up going over time. Clearly, at the moment, it is not a good session and the limitation of time taken during question time by those concerned, in my view, will be an advantage. I know that opposition members will always think it is an advantage but one day they will sit on this side of the House and they will see it as being a disadvantage but, on balance, I think it is an issue that ought to be considered by the parliament, and a guarantee to the opposition of at least eight questions in question time is, I think, a suitable compromise.

I had a specific involvement in the view that we should have a special privileges committee. While it does not happen very often in the life of parliament in general, it was my view at the time—and still is my view—that if that committee can be set up independent of the action that requires the setting up of a privileges committee, it is a fairer way to go. We have suggested that the Standing Orders Committee, which is established by the parliament, be given an ad hoc committee role in terms of privileges. That would obviously be set up each session so you would not have the concerns that I had at the time in relation to that committee. That is not in any way suggesting, apart from the politics that we all know was played, that there were any other problems with the committee, but I have a view that it is better to make things on the surface look fair right from the start and work from there. Clearly, if a person has been directly involved in the accusation they should not be on that committee, and we have suggested an amendment to overcome that. I hope that that recommendation will be considered by the House.

In relation to bills, as a previous Deputy Premier I think it is probably the area in which I had most involvement, and these recommendations, on the whole, will make the working of the House better for members of parliament. Let us face it, at the end of the day that is really what this process ought to be about: it ought to be about making it more efficient for members of parliament. The fact that we traditionally have two sides—a government and an opposition—is irrelevant. It is a members' House and we should make the process of handling bills simpler; and I believe this process will do it.

The other area in which I had a little involvement was the suggestion that we have regular debates on matters of public importance. The biggest single issue facing those members who will go on after I and others retire is the relevance of parliament in the community. One of my views that might change that is if we are seen to be debating issues and have concerns about issues that are of major importance to the community. Probably the best example of that at the moment is the Murray River. We have had a select committee, but in my view we need to have continued debates on such subjects.

The Hon. R.B. Such interjecting:

The Hon. G.A. INGERSON: The member has recommended drugs. A whole range of other issues clearly are matters of public importance. It is my view that if that is to be handled properly we need a yearly program so that members know when debate will occur, can prepare themselves, and can ensure that this opportunity is carried out; that we are seen as a parliament that is interested in the future of our community; and that we are not seen by the community as a group of squabblers who fight in question time, who play political games and who do not care about the community. I know that is not the case and I know most members in here do not have that view, but it is the perception in the public arena and my view is that we need at least to look at how to make those sorts of changes. I suggest that, when the final report is done and when the new parliament decides what to do, that issue should be considered.

Several members also raised the issue of how we better communicate with the community and how we get the democratic process and its pluses and minuses better communicated. We are recommending that we should have someone in the parliament who, purely and simply, looks after that role and helps on a parliamentary basis, not on a bipartisan basis, purely and simply selling the role and the need to have a good, strong democratic system which is heralded through our parliament. It is an issue which all members of the committee, in essence, recommended and in which the committee believed strongly.

The only issue that created a lot of discussion—and we have not yet finalised our view—is in relation to estimates and what we do with that whole stage of seeing a budget, investigating its role and getting some process that not only enables parliamentarians to be better informed but also is less political and less hopeless, in my view. It is something that has deteriorated dramatically in the time I have been in the parliament. Its effectiveness has long gone. I think many of us will need to put our heads together to work out where we go from here. The return to the old days where you just got up and asked a question of the minister is as hopeless. Somehow we have to come up with a process. It has been suggested that we look at the senate process in relation to

committees to see whether that is something that could be adapted to the estimates committee in total, and we will do that in time for our final report.

With those few comments, I support the tabling of this report. I hope that it will be seen by members of parliament for what it is, that is, a well-intentioned document from which hopefully we will achieve some good outcomes. Clearly, everyone will not agree, but I think it has been excellent work from the committee.

[Sitting suspended from 6.00 to 7.30 p.m.]

SITTINGS AND BUSINESS

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

That Standing Orders be so far suspended as to enable debate on committee reports to be continued.

The SPEAKER: I have counted the House and, as there is an absolute majority of the whole number of the members of the House present, I accept the motion.

Motion carried.

SELECT COMMITTEE ON PARLIAMENTARY PRACTICES AND PROCEDURES

Debate resumed.

Mr MEIER (Goyder): I will be fairly brief. I would like to compliment the committee on the work it has done on this interim report of the Select Committee on Parliamentary Procedures and Practices. Certainly, for as long as I have been in this House there has been discussion and from time to time debate on reforms that should occur to the procedures of this House. Certainly, in the previous parliament there was an attempt to try to reform the parliamentary hours of sitting and other matters, but nothing ever eventuated from that. There were some minor adjustments to the standing orders; however, basically we have continued on very much as the parliament thought to enact its day-to-day activities 20 years ago.

So, this committee has now put forward a series of suggestions which I believe deserve full consideration, and I believe that many of them will certainly improve the day-to-day functioning of this House and hopefully will ensure that more time is spent debating relevant legislation rather than debating matters that are not of critical importance to the day-to-day running of the state. I refer in the first instance to the Address in Reply for which, in essence, the committee has suggested that the time of speaking be reduced. I have no problem with that at all. I note also that it recommends that the sitting times be reduced in one sense and extended in another sense, namely, that we start at 11 a.m. on a Wednesday—currently we start at 2 p.m.—but at the same time that we would finish at 6 p.m. Again, if you think about what the federal parliament is doing, they have much more realistic hours of sitting—

Mr Lewis: They have no debate whatever; they guillotine 40 bills in 20 minutes.

Mr MEIER: The member for Hammond has said that they have no debate whatsoever, but the member for Hammond would recognise that at least this committee has suggested that the amount of time set down for debate in items such as the Address in Reply be cut down, so that will compensate to some extent.

In respect of question time, I notice the suggestion of the minimum of eight questions. We would remember that some four years ago there were a minimum of 10 questions from the opposition. I cannot see any real reason why 10 questions could not be reintroduced, because I do believe that from time to time ministers continue on too long. However, to limit a minister to five minutes is somewhat unrealistic at times. In most cases it would be quite in order, but there are occasions where the minister would need to use more than five minutes of time. Perhaps something could be worked out there to provide that a minimum of 10 or eight questions occur each day, and therefore it is up to the ministers to determine how long they speak. I have certainly seen other parliaments where questions are asked and answers given in rapid fire succession, and I believe it is far more effective than the long-winded answers.

Other items addressed include the naming of members, and I think that is a sensible suggestion. At present the whole parliament has to determine it. The Speaker has been elected by the parliament and given that power, and the Speaker should therefore be able to exercise that power. Therefore, if the Speaker names a member that member automatically leaves the House for the rest of that day and the same penalty applies for the second naming. However, on the third offence it is a three-day suspension and for any subsequent offence it is 11 days. That would again save quite a lot of time wasting and perhaps it would also prevent the bickering between both sides of parliament, simply because they feel as though they should take an alternative view to what the Speaker has suggested. In fact, it would help overcome the issue of the sin bin, which I personally was opposed to when it was brought up here some years ago. I did not see it as a sensible option, but this is a good halfway house in that respect.

There are various other recommendations, and I think they need to be considered further. I note that there are no recommendations with respect to estimates committees, but there is some reference to that further on in the report. The report identifies that the committee had many representations about the unsatisfactory process of estimates committees. The committee agreed that, while change was desirable, it decided to invite further submissions from members on whether the composition of the committees should include Legislative Councillors and other matters. I personally have advocated for many years now that the estimates committees should include Legislative Councillors. I think it is quite hypocritical that we do not have all the members who are normally able to question the ministers—whether they be in this House or the other place—being part of estimates committees, and I would hope that the sooner we proceed to that, the better. It is the one disappointing development in this interim report that the estimates committees have not been specifically addressed. Possibly that may be brought up in the final report. With those comments, I thank the committee members and I hope that further changes will be made as a result of this report on parliamentary procedures and practices.

The Hon. R.B. SUCH (Fisher): I commend the select committee for its efforts in this matter involving parliamentary procedures and practices. My initial reaction is of mild disappointment, in a sense, because, although I know that the committee was constrained somewhat in time, I do not believe that it went far enough in terms of advocating

significant reform of the way we conduct ourselves in this place. I do commend the committee at least for recommending the possibility of starting earlier on Wednesday. I think that the idea of a time limit on ministers' replies is worth while; I think it is only three minutes at the federal level. Of course, the issue is whether there is any substantive answer and not simply the length of time. The parliament has no power to compel an answer from a minister so, sadly, we have question time, but we rarely have answer time.

I agree with the member for Goyder that we could quite easily have a situation where 10 questions are the minimum. That was the case several years ago and I think it worked very well, and every now and again it avoids the need for the opposition to raise the issue of extending question time. I think the issue of matters of public importance has merit, although I question whether four debates per annum is sufficient; it sounds rather constrained. On the matter of topics chosen by the Standing Orders Committee, I think that is a bit of a complicated procedure and I think members should be able to initiate issues of public importance in a less restrictive way than that. I have advocated—and, indeed, indicated in my submission to the committee—that we should be looking at issues that do not occur through the normal course of bills, and so on, where we have adequate time to canvass issues such as, say, the Murray River, salinity, employment issues, drugs, and so on, and really get stuck into and canvass such topics and have genuine discussion and exchange of ideas.

Obviously with the approval of the House, I like the idea of bringing in people from outside who may be experts, as has happened in the case of the Victorian parliament where Professor Pennington was brought in to give an address to the whole parliament on the issue of drugs. I think that would need to be handled carefully because, clearly, we cannot have everyone coming to present a point of view. However, I think that in special circumstances there should be a provision so that the parliament could be addressed by someone of outstanding reputation and knowledge to offer words of wisdom and advice to the parliament.

Mr Lewis interjecting:

The Hon. R.B. SUCH: The member for Hammond obviously disagrees.

Mr Lewis: Strongly.

The Hon. R.B. SUCH: Well, that is good. When he retires, he may wish that he had not rejected my suggestion. I think the concept of a speaker's panel has merit. I have to plead guilty to never familiarising myself in the way I should have in terms of detailed procedures. We all get caught out when we are asked at some stage to take the chair, and I think that the notion of educating us all and requiring us to get up to speed on rulings and so on is good. I think that we could go further with the notion of introducing technology in the chamber and use the latest electronics to ensure that we do represent our community and constituency more effectively. We are not far away from a situation where people in our electorates can indicate by electronic means their views on a whole range of issues; that is probably a few years down the track.

The member for Goyder mentioned estimates committees, which is an issue that is very dear to my heart, although I notice that there is no strong recommendation there. Mention is made of allowing Legislative Councillors to participate, which I think has merit. I have argued for a long time that estimates committees could be much more productive, rather than be used as an opportunity for the government or the opposition simply to get out a press release during the many hours that people are required to sit and supposedly question ministers and senior public servants. A lot of money and effort goes into preparing answers to possible questions, but I think there are other ways that we could use parliament's time more effectively to question ministers, rather than having the drawn-out procedures of estimates committees.

Looking at time limits is an issue that I think has merit. I guess we are all guilty of talking out our time and of seeing it as a challenge to actually speak for the time we are allowed, rather than only speaking when we have something meaningful to say. I hope the restriction on times does not backfire, with members seeing it as meaning that they have to speak for that time rather than saying what they want to say in a meaningful way and then sitting down—which is what I intend to do shortly.

The final point I make is that I think it would be worth considering allowing members to speak only briefly, say, for two or three minutes, in respect of the subject matter of a petition. At the moment, the public believes that the petition has a lot of political weight, but members know that, sadly, that is often not the case. When petitions are presented to the House, many members would not even hear the substance of the petition. If it is important enough for people to have a petition presented to parliament, I think it is important enough for a member presenting that petition to explain briefly the substance and the context of the petition, rather than simply have it read out. I think that is somewhat dismissive of what people see as one avenue of having their concerns raised. With those brief remarks, I once again thank the committee for its deliberations. I was hopeful that it would have been a little more fundamental in its recommendations, but I realise that reform comes gradually in our society, which is probably not a bad thing.

Mr VENNING secured the adjournment of the debate.

SELECT COMMITTEE ON ADELAIDE PARK LANDS PROTECTION

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

That the time for bringing up the final report of the committee be extended until Wednesday 26 September.

Motion carried.

SELECT COMMITTEE ON THE FUNDING OF THE PUBLIC HOSPITAL SYSTEM

Mr MEIER (Goyder): I move:

That the time for bringing up the report of the committee be extended until Wednesday 26 September.

Motion carried.

STATUTORY AUTHORITIES REVIEW COMMITTEE: ANIMAL AND PLANT CONTROL BOARDS AND SOIL CONSERVATION BOARDS

Adjourned debate on motion of Mr Venning:

That the 26th report of the Statutory Authorities Review Committee, on the Inquiry into Animal and Plant Control Boards and Soil Conservation Boards tabled in the Legislative Council on 11 April, be noted.

(Continued from 4 July. Page 1979.)

Mr LEWIS (Hammond): I am not as enthusiastic as the member for Schubert is about his belief and opinion as stated on the last occasion this matter was before the chamber that the pests in our society ought to be all lumped together in one single and simple organisation. What he has advocated and what he quoted Arthur Tidemann (who was Chairman of the commission at the time) as supporting will not necessarily deliver more efficient, better informed, less expensive and more sensitive administration of these laws and regulations. In fact, it establishes a platform where those egocentric ignoramuses in the community can get themselves involved in these organisations and allow the bureaucrats to rule. It will be *Yes, Minister* all over again. Already, we have seen the idiocy of amalgamating local government in South Australia which we were promised would deliver great savings. Yet in no one instance has there been any reduction in rates whatever.

An honourable member interjecting:

Mr LEWIS: We could have easily predicted that. I tried to warn those people who were my colleagues at the time that the proposition was fraught with danger and that the argued outcomes in terms of savings and efficiency would not result. It is now clearly demonstrable that they have not resulted. We have been delivered into the hands of experts who are insensitive to the wider interests of the community to the extent that the citizen affected by the decisions that are made is now even further and more greatly alienated from that system, and angered by it, because they can find nobody who understands the way they have been affected by the decisions that are taken, nobody who cares one jot how inconvenient it is, and how unpleasant the consequences are when the decisions of the bureaucrats in local government, made as recommendations to the elected representatives, are adopted by those elected representatives, fewer on the ground in number and less sensitive to the consequences of their decisions to the point where the citizen is frustrated, angered and annoyed.

The Liberal Party wanted it, and the Liberal Party has got it. The Liberal Party will wear it, and the Labor Party loves it, because it would have done the same if only it could have got away with it without a debate of the kind that I believe we ought to be having about those matters and this matter. They all lead to less and more difficult accessibility to elected representatives. They all make understanding the consequences of the decisions that are made by the elected representatives, and therefore given the imprimatur of law, less understood by the elected representatives.

The member for Schubert knows very well what I am talking about. He may have spent his life understanding what weeds and rabbits mean to him in the area in which he farms. However, what he has done now is ensure, by the amalgamation of local government and the expansion of the borders of the pest boards—be they plants or animals (and now we have them amalgamated anyway)—that such people are less likely to find their way onto those boards than the egocentric ignoramuses whom I spoke of and who come from urban lifestyle backgrounds and want the power, the glory and what they think will be the honour of having their name up in lights. *Yes, Minister* will prevail at even local government level to a far greater extent that was hitherto possible.

With the separated rather than the integrated natural resource management proposals, there was the possibility of having a smaller amount of time that somebody involved in the business of farming or whatever could spend to bring themselves up to speed with the knowledge base necessary to make independently well informed decisions from the recommendations obtained from bureaucrats. However, the Liberal Party has gone down the same path as the Labor Party in this regard. Ministers come in here day after day and tell us that the expert opinion that they have from people who know more and more about less and less is the best thing for us. And how foolish that is, because it frustrates the ordinary citizen in the impact which it has on the ordinary citizen's approach to life in an endeavour to do something.

We are making it so much more difficult for any individual person to do anything that pretty soon individual enterprise will be a thing of the past in our society if we continue down this pathway. You will need to have a corporation comprised of people making the decisions on behalf of that corporation who have the specialised areas of knowledge necessary to be able to argue with the bureaucrats who are telling them what the corporation's interest is and what the corporation will have to comply with to get approval to do what it wishes it do. So we will have corporations running farming, plumbing enterprises, dentists' practices and pharmacies—and, sir, that is something that should be close to your heart. We already have corporations taking over medical practices so that they can all have within that corporate company structure someone who is sufficiently expert to deal with the experts in the Public Service where what the public servant—whether it is local, state or federal level—tells them can be discussed, debated and understood by that corporation. It is a reinterpretation process.

It makes the administration of the business enterprise top heavy with experts who know more and more about less and less, so that they can deal with the experts who are imposed upon and their decision making processes by law and who are installed in these local government and/or in quasi regional government arrangements. These people know more and more about less and less, and have their authority given to them by a parliament which accepts the recommendations of experts, so-called, from the bureaucracy that knows more and more about less and less. If that is the kind of society that the member for Schubert and the Liberal Party think is ideal for Australia, good on them, because that is exactly what the socialist model and the Marxist model believe is appropriate for society, and it is the anathema of what I believe. It is entirely different from the direction in which we ought to be going. It is an insensitive, overly bureaucratic, overly legalistic and, indeed, unnecessarily expensive approach to getting the things done that we all want to see done every day so that we can continue to live here. It simply says that you have to pay more money to get to where you are going because you have to feed all these so-called professionally qualified people at high salary levels to make decisions that will not be in the interests of commonsense, anyway.

I note the fact that I am restricted in my remarks by this 10 minute rule and, in consequence, when I hear and see the recommendations which have come from that committee and which duplicates the standing orders committee that we should further restrict the ability of backbenchers to speak on matters at length and further explain in greater detail what they are concerned about, it clearly illustrates the point I am making. There are too many people in this place who do not have the guts to accept responsibility for the decisions and the opinions they advocate and who want to hide behind the skirts of party machines and do things which are in the interests of those organisations and to hell with the interests of the individual and the public they are elected to serve in this place in the process.

I have an entirely different view to that of the member for Schubert about these matters, and I think it inappropriate that we have integrated natural resource managements, especially now that it is being proposed to lump that together with management of water resources. The people who are elected will have no knowledge of anything.

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

Mr Lewis interjecting:

The SPEAKER: Order, the member for Hammond!

Mr VENNING (Schubert): I note the member for Hammond's comments. This motion purely supports the report of the Statutory Authorities Committee which is a committee of the other house. I note the honourable member's comments this evening, and I have some sympathy with what he has said. I remind the member that I am supporting the report of this committee. It is not opinion that I am expressing. In this instance, I am purely saying I am agreeing with them, because it has always been my point of view, and I agreed with this committee's findings long before I came to this place. I am on the record as addressing soil boards in the city on this very issue, and this would have been 15 to 20 years ago, because I was the chairman of an animal and plant control board. I held that point of view then. I have not changed. As a practising member, I did not know then that I would be in this place, certainly not discussing a motion such as this.

My opinion was placed on the record during debate when I first came in here in 1990 (and I have made this point before), and nothing happened then, and nothing has happened since, to make me change my mind. I think this is the way of the future, because it is already happening out there, particularly in some of our outside and more remote areas, because there are not enough people to serve on a multitude of boards. I have always supported the concept that, where existing individual boards are operating effectively and they wish to continue that way, they should do so, as long as the relevant local government authority agrees. That is what is happening, and I think that, over time, we will see this gradually increase. I do not believe that it should be compulsory, or forced upon them, in any way whatsoever. If there are people who are prepared to serve on these boards—

Mr Lewis interjecting:

Mr VENNING: They are all voluntary. If there are people who are prepared to serve, I believe that they should remain. But in all the areas in which I am involved (and this includes now the Barossa, which one would not say was remote) we are finding that we are having great difficulty in filling the positions on these various boards—that is, the Animal and Plant Control Board, the Soil Board, the Landcare Board and the Water Catchment Board, to name four of them—and there are more. It is very difficult to fill these boards with people with the expertise and the time to spend carrying out these duties.

The problem is that, in many areas, some of the long- term members retire—and some of these members have been on these boards for 30 years. I served with them when I was younger, and some of these members were 30 years my senior. Some of them are still there, and they have given tremendous service for many years. I do not want to denigrate them for one second, because of their expertise and what they know. They have seen the changes in land practices from the days when we just raped and pillaged our land, when we just poured on the fertiliser and worked it to death and burnt everything that we did not want to have there. They have seen a huge change. These sorts of people are valuable on these boards. But as they retire it is very difficult to replace them, because the younger ones (my sons included) do not have the time or the resources to serve on up to three boards, as I used to do. They are not putting their names forward, because they cannot afford it—in monetary terms or in time. I believe that putting the boards together is a very efficient way of doing things, particularly with our modern electronic communications. Not only is it the most efficient way, but it is also the most effective way.

When I was chairman of the local Weeds Board, I was also chairman of the Vertebrate Pest Board, and I thought that it was a nonsense that we were travelling the same distance on separate days with a different officer. In those days, we formed the first Animal and Plant Control Board; we put it together, and we did it with our own resources. But, as time went by, it became a state-wide thing, and now we have the two combined. It is not just the Weeds Board any more or the Vertebrate Pest Board: it is the Animal and Plant Control board, and we now should include soils. I can remember in one instance going out to Willochra Plain to look at the vermin problem there and also the boxthorn problem—that place is or was full of boxthorn weeds. But we were looking at the fact that, if we removed the boxthorns, we would create a problem with soil denigration. But we could not discuss that, because we were not the Soil Board. So, we had to go back, prepare a report, and the Soil Board came out and had a look. I thought that all that travelling was nonsense and a waste. It really was inspiring to have Mr Arthur Tidemann come out, as a commissioner, and agree with me. I certainly support the motion.

Motion carried.

CRIMINAL LAW (LEGAL REPRESENTATION) BILL

Second reading.

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

A quorum having been formed:

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

That this bill be now read a second time.

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

The SPEAKER: Is leave granted?

Mr Lewis: No.

The SPEAKER: Leave is not granted.

The Hon. R.G. KERIN: Members may be aware of the High Court's decision in the 1992 case of Dietrich v. R, to the effect that serious criminal trials may be stayed indefinitely where the trial might be unfair, because the defendant is, due to indigence, unable to secure legal representation. This decision has resulted in several serious criminal trials being stayed in this state until funding was provided by the government to pay for representation.

As a matter of policy, the government considers it undesirable that such trials should be indefinitely stayed. It is unfair to the accused person, who is entitled to have the case determined, and also to the community, which is entitled to expect that trials will proceed and that the guilty will be brought to justice. This bill is intended to resolve this situation by removing both the entitlement to a stay and the need for it.

The bill provides that, with a few exceptions, anyone charged with an indictable offence against state law, which will be tried in the District Court or the Supreme Court, can get legal aid. It does not matter whether the person meets the legal aid means test. In general, this grant of aid is similar to an ordinary grant of aid under the Legal Services Commission Act 1977. Conditions can be set. Financial contributions can be required. A statutory charge can be taken over the person's real estate (if any).

The ordinary solicitor/client relationship arises between the aided person and the assigned solicitor. However, there are some important differences. First, the person will be required to pay for his or her representation to the full extent of his or her means. Secondly, the commission's usual practice of assigning the solicitor of the defendant's choice will not apply to defendants who would otherwise be ineligible for legal aid: instead, the commission will choose the lawyer. It should also be noted that this aid is limited to the trial and associated proceedings: it does not extend to cover any appeal that the defendant may wish to make against conviction or sentence. Aid for that purpose is in the commission's discretion and the usual tests will, no doubt, apply.

The bill tries to ensure that the question of legal representation is sorted out well before the trial. It is a waste of everyone's time and money if trials have to be adjourned at the last minute because the defendant does not have a lawyer. For this reason the bill requires the court to address this issue as soon as practicable after arraignment—at the first directions hearing. The court will check whether the defendant has a lawyer who is willing to see the case through to conclusion, or has obtained legal aid. If neither is the case, then the court will direct the defendant to apply for legal aid.

If he or she does so, legal aid must be granted. In this way, no-one will be able to complain that his or her trial will be unfair for want of legal representation. The only exception is where the defendant wants to represent himself or herself. Every defendant has this right. In that case, the court will not direct an application, and the case will proceed with the defendant unrepresented. However, he or she cannot then say that the trial will be, or was, unfair because of a lack of representation. Of course, most people charged with serious crimes prefer to have a lawyer and, under this bill, they will be able to have one.

Once aid is granted in these cases it may only be terminated by the commission if the defendant later secures private representation (for instance, where the defendant comes into money), or decides to represent himself or herself; or, if the offence is a minor indictable offence, the defendant decides, after all, to be tried summarily. The commission may also apply to the court to terminate aid where the defendant fails to comply with the conditions of aid or cooperate with the assigned lawyer. Obviously, if the Legal Services Commission is to be required to grant legal aid to people who are not currently eligible, this will entail significant expense.

Some serious criminal trials may be complex and expensive. The bill therefore intends that the defendant will pay for his or her legal aid to the full extent that he or she is able. It provides several avenues by which the commission can achieve this. The commission has always had the power to require an aided person to contribute to the cost of legal representation, and it usually does so. However, under the bill, it will have new powers to investigate the person's financial affairs. It will be able to require information about the defendant's finances not only from him or her but also from third persons, such as the defendant's employer, accountant or stockbroker, the trustee of a family trust or an institution with which the person has financial dealings.

It will be able to require such persons to produce documents and answer questions. This should help the commission to find any resources which have been hidden or have been put beyond the defendant's control, such as by means of a family trust or company structure. If the commission finds assets which could be used to pay for the defence, it can apply to the court for orders to preserve the assets and to apply them to the cost of the case. It can also apply conditions to the legal aid, such as conditions that the person make an up-front payment or reimburse it in full.

Further, not only can the commission apply for orders about the defendant's current assets: it can also inquire into what has become of past assets. (At present, the commission can refuse legal aid if it can see that assets which could have been used to pay for representation have been dissipated. Because the commission has no power to refuse aid under this bill, it needs to be able to recover those assets to pay for representation.) Transactions entered into during the five years prior to the alleged offence, or at any time since, in which the defendant has disposed of property can be examined.

If the property was not disposed of in a genuine transaction for value, the commission can ask the court to undo the transaction and make orders about the resulting assets. The asset can thus be retrieved and used to pay for legal aid. This is to catch the person who sells assets for obviously inadequate sums, gives them away, or removes them from his or her control by transactions, such as setting up trusts, in order to avoid the assets being used up in legal fees. Of course, some cases will be so expensive that they exceed the maximum which the commission would normally pay for any one case—called the 'funding cap'.

In that case, the commission is not expected to cover the full cost of the case because to do so would unfairly divert funds from other deserving cases. The bill intends that the commission will enter into an agreement with the government about the funding of these cases. Under the agreement, the government will provide funding for these cases to the extent that they exceed the cap but will require the commission to manage these cases effectively consistently with giving the defendant a proper defence. For example, the agreement may include principles about when senior or multiple counsel are to be instructed, about the agreement of non-contentious matters or requirements about not taking technical points which have little or no prospect of success.

The purpose of the agreement will be to ensure that the defendant has a proper and adequate defence and also that public funds are used responsibly and not wasted. When an expensive case arises, the commission will prepare a case management plan for approval by the Attorney-General. The plan will identify the work to be undertaken in defence of the charges. If the plan conforms with the agreement, the Attorney-General must approve it. The commission is then entitled to reimbursement by the Treasurer for the amount by which the net cost of the case exceeds the funding cap as long as it conducts the case in accordance with the approved plan.

Of course, the amount due from the Treasurer is reduced to take account of any money recovered or recoverable from the defendant's resources. Further, the bill will also permit some recourse to the resources of a person who is financially associated with the defendant. It is important to understand how the bill will affect such persons. Under the national legal aid means test, the Legal Services Commission, like other

legal aid commissions, takes into account the financial situation of a person who is financially associated with the defendant. This can be an entity, such as a family trust of which the defendant is a beneficiary, or a family company of which he or she is a director or employee.

Equally, it can be a natural person, such as a spouse, or, in the case of a minor, a parent. It might even be a person who is not related, but who provides financial support. However, not all companies, spouses or parents will be financially associated. This depends on whether a relationship of financial support exists; that is, whether it is reasonable to regard that person's resources as being potentially available to the defendant (for example, because he or she has received support from that person before, or has involved his or her financial affairs with those of that person).

Persons who will not usually be regarded as financially associated under the means test include separated spouses, or persons who have a contrary interest in the legal case. Also, the commission always has a discretion not to treat a person as being financially associated if, in all the circumstances, it decides that it would not be fair to do so. The commission will be able to inquire into the financial circumstances of a person it regards as financially associated, or possibly so. It will be able to apply to the court to decide whether, and to what extent, a person whom it identifies as financially associated should be required to contribute to the cost of the case. (The financially associated person can also make this application should he or she wish to.)

This is a decision for the court and not the commission. The court must do what it considers just and equitable in the circumstances. No doubt, it will consider such matters as the extent of the associated person's resources, how the relevant assets were acquired, what is the relationship of support between the parties, what are the other claims on the assets, and so on. The bill does not set any constraints on how the court is to make this decision. It must do what is just. The rationale for this aspect of the bill is twofold: first, where two persons have a relationship of financial support or merge their financial affairs, it is often the case that an asset which is legally the property of one of them has been acquired by their joint efforts, or by the efforts of the other, and should be regarded in fairness as shared and available to both.

Second, the law generally expects parents to support children and spouses to support each other to the extent that they are able to. This is why, for example, the spouse of a fully employed person will not generally be eligible for unemployment benefits during periods out of work. No doubt, it may be a difficult question in some cases whether one person or entity should be expected to contribute to the legal costs of another. This is why the bill gives that decision to the courts.

It should be pointed out that the bill does not intend these decisions about financial matters to be made as part of the trial of the accused. Under this bill, there will no longer be any need for the trial court to concern itself with questions of whether the defendant is indigent or how much the trial will cost. They are unrelated to the trial and should not hold it up. For this reason, the bill provides that they are to be made by a judge or master other than the person who presides at trial.

Finally, it will be noted that this bill is limited to offences against state law. This is because under the present funding arrangements for legal aid state money is used to pay for the defence of state charges and commonwealth funds for commonwealth charges. It would not be appropriate that the state incur liability to cover the cost of expensive commonwealth cases. Instead, funding for those matters will remain a matter for negotiation between the commission and the commonwealth.

This bill will, therefore, address the problem of serious criminal trials being stayed for want of legal representation. It will enable all persons charged with serious crimes against state law to be represented and all such trials to proceed. It regularises the process by which the revenue may be called on to fund these matters, and it ensures that the aided person pays, to the full extent that he or she is able, for the cost of the case. It addresses, as far as possible, the hitherto difficult problem of the person who has structured his or her affairs so as to protect assets which ought rightly to be available to pay for legal representation.

Perhaps it will prove to be the case that the remedy afforded by this bill is not often used. Those defendants who can really afford to pay for legal representation will, perhaps, prefer to do so, rather than incur the consequences of a grant of aid under the bill. Those defendants who are really without means to pay for the representation they need may qualify for aid in the ordinary way. There will be some, however, who cannot otherwise obtain legal representation and whose trials might otherwise have been stayed. Their cases will now proceed with proper representation and without delay. I commend this bill to honourable members, and I seek leave to insert the explanation of the clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

PART 1: PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Object

The objects of this measure are—

- to ensure that legal representation is available to a person charged with a serious offence (*as defined in clause 4*) and, thus, to limit the application of the rule under which the trial of such a person may be stayed on the ground that the trial would be unfair for want of legal representation; and
- to ensure that trials are not disrupted by adjournments arising because the defendant lacks legal representation and defendants who obtain legal representation pay for it to the extent their means allow.

Clause 4: Interpretation

This clause contains definitions of words and phrases used in the bill.

In particular, an assisted person is one for whom legal assistance is, or has been, provided in connection with the trial of a serious offence, whether or not the case actually proceeds to trial.

Assisted persons are divided into 2 categories—

- category 1—being persons eligible for legal assistance under the *Legal Services Commission Act 1977* (the LSC Act); and
- category 2—being persons not eligible for legal assistance under the LSC Act.

A serious offence is an indictable offence under the law of the State that is to be tried in the Supreme Court or the District Court (and includes any summary offence that is to be tried together with such an offence in the same proceedings).

Trial means a trial of a serious offence before the Supreme Court or the District Court.

Associated proceedings, in relation to a trial, means proceedings that are preliminary or ancillary to the trial (including proceedings in which the validity of the charge is challenged) but does not include—

- any such proceedings that commence before the first directions hearing after arraignment; or
- an appeal; or
- proceedings under this measure.

Clause 5: Territorial application of Act

The measure will apply—

- to property within or outside the State; and
- to transactions occurring within or outside the State; and

- outside the State—to the full extent of the extra-territorial legislative capacity of the Parliament.

PART 2: ENTITLEMENT TO LEGAL ASSISTANCE

Clause 6: Entitlement to legal assistance

The Commission must grant legal assistance by way of legal representation for the trial and for certain proceedings associated with the trial of a person charged with a serious offence if the person applies to the Legal Services Commission (the Commission) for such assistance.

Subject to this clause, the LSC Act applies to an application for, or grant of, legal assistance under this clause, but the Commission's obligation to grant legal assistance does not prevent it from imposing conditions under the LSC Act on the grant.

The Commission must not terminate legal assistance granted under this clause unless—

- the assisted person obtains privately funded legal representation for the trial or an associated proceeding or notifies the Commission of an intention to do without legal representation at the trial; or
- the assisted person contravenes or fails to comply with a condition on which the legal assistance was granted and the court authorises the Commission to terminate legal assistance because of that; or
- the assisted person refuses or fails to cooperate with the legal practitioner assigned to provide the legal assistance and the court authorises the Commission to terminate legal assistance because of that; or
- the defendant is charged with a minor indictable offence and legal assistance was granted on the basis that the defendant was to be tried in the Supreme Court or the District Court but it now appears that the trial is to proceed before the Magistrates Court.

If legal assistance has been so terminated and a further application for legal assistance is made—

- the Commission has an absolute discretion whether to grant or refuse the further application and is under no obligation to grant it; and
- if the Commission grants the application, it has an absolute discretion to terminate the legal assistance on any ground it considers sufficient (and a decision to do so cannot be challenged in any way).

Clause 7: Commission to choose legal practitioner by whom legal assistance is to be provided

The Commission will choose the legal practitioner by whom legal assistance is to be provided for a category 2 assisted person, having regard to (but not being bound by) any preference expressed by the assisted person.

PART 3: REPRESENTATION PROCEDURES

Clause 8: Procedures to be followed at directions hearing

At the first directions hearing to be held after the defendant's arraignment, the court must consider whether a direction is required under this clause and determine the question at that hearing, or as soon as practicable afterwards.

Where the defendant is represented legally, his/her lawyer must, at least 7 days before the day fixed for the first directions hearing, file in the court a certificate certifying that—

- the defendant is an assisted person; or
- the lawyer undertakes that the defendant will be provided with legal representation for the duration of the trial; or
- the defendant is not an assisted person and the lawyer will not give any such undertaking.

At the directions hearing, the court must direct the defendant to make an application, within a fixed time, to the Commission for legal assistance unless—

- the defendant is already an assisted person; or
- the defendant's lawyer has given an undertaking in the above terms; or
- the court is satisfied, on the basis of the defendant's written assurance, that he/she does not want to be legally represented at the trial.

Clause 9: Representation of certain defendants

Clause 9 applies to a defendant who is not an assisted person and who—

- has given the court a written assurance that he/she does not want to be legally represented at the trial; or
- has been directed by the court to make an application for legal assistance and has failed to comply with the direction.

Such a defendant may only be represented by a lawyer at the trial or in an associated proceeding if a lawyer's certificate is filed in court certifying as to an undertaking that the defendant will be provided with legal representation for the duration of the trial. Certain limitations on fees for the lawyer's services are imposed in those circumstances.

Clause 10: Certain costs may be awarded against defendant personally

If the court adjourns a trial or an associated proceeding to allow the defendant to make an application for legal assistance, or to obtain legal representation in some other way, and the adjournment is attributable to some failure of the defendant to make proper arrangements, or to the defendant's change of mind about legal representation, the court may make an order against the defendant personally for the costs of the adjournment and the costs of the proceedings thrown away by the adjournment.

PART 4: MODIFICATION OF COMMON LAW RIGHTS

Clause 11: Modification of common law

The fairness of a trial (or a prospective trial) cannot be challenged on the ground of lack of legal representation unless—

- the Commission has refused or failed to provide legal assistance for the defendant, contrary to this measure; or
- the Commission has withdrawn legal assistance for the defendant on the ground that it has been unable to reach agreement with the Attorney-General on a case management plan (*see below*).

PART 5: RECOVERY OF COSTS OF LEGAL ASSISTANCE

DIVISION 1—INVESTIGATIONS AND INQUIRIES INTO ASSETS

Clause 12: Commission's powers of investigation

The Commission may conduct an investigation into the financial affairs of an assisted person, a financially associated person or a person who may be a financially associated person. This clause sets out the powers of the Commission for the purposes of conducting such an investigation.

A person is financially associated (*see clause 4*) with an assisted person if—

- a financial association exists between them under criteria generally applied by the Commission for determining whether a financial association exists; and
- the Commission has determined that a financial association exists between them.

DIVISION 2—CONTRIBUTION BY FINANCIALLY ASSOCIATED PERSON

Clause 13: Contribution from financially associated person

The court may, on application, determine the extent to which it is reasonable that a person who is financially associated with an assisted person of category 2 should contribute to the costs of providing legal assistance for the assisted person and may make consequential orders providing for contribution by the financially associated person reflecting the determination and/or dealing with the assets of the financially associated person under this proposed Part.

DIVISION 3—POWER TO DEAL WITH ASSETS AND TRANSACTIONS

Clause 14: Power to deal with assets

This clause applies to assets of an assisted person of category 2 and of a person who is financially associated with an assisted person of category 2.

On the Commission's application, the court may make orders in relation to an asset that it identifies as being available for application towards the costs of legal assistance. The clause sets out the type of orders that the court may make.

Clause 15: Power to set aside transactions

An examinable transaction is liable to be set aside by the court unless the parties to the transaction satisfy the court that the transaction was entered into in good faith and for value.

An examinable transaction is one involving a disposition of property entered into after the relevant date (as defined in subclause (2)) by—

- an assisted person; or
- a person who is financially associated with an assisted person of category 2, or an assisted person who would fall into category 2 if it were not for the transaction or a series of transactions of which the transaction is one.

PART 6: MISCELLANEOUS

Clause 16: Exercise of jurisdiction

The court's jurisdiction under this measure may be exercised by a Master or a Judge with the proviso that a Judge who deals with any financial aspect of the proceedings must not preside at any aspect of

the proceedings that determines the guilt or innocence of a defendant or has the potential to dispose of the charges. The funding issues are to be kept separate (as far as possible) from substantive issues.

Clause 17: Periodic accounts and final accounts

The Commission must give to a person who is financially associated with an assisted person and liable to contribute to the costs of the legal assistance—

- periodic accounts showing the total cost of the legal assistance provided to the date the account is made up; and
- at the conclusion of the assignment—a final account setting out the total cost of the legal assistance.

Clause 18: Reimbursement of Commission

The Commission is entitled to be reimbursed by the Treasurer an amount by which the net cost of providing legal assistance for an assisted person exceeds the funding cap fixed under the *Expensive Criminal Cases Funding Agreement* (an agreement between the Attorney-General and the Commission).

That right, however, depends on—

- the Attorney-General's approval of a case management plan in relation to the relevant trial under the Agreement; and
- compliance by the Commission with the approved plan and other conditions of the Agreement.

The Attorney-General must approve a case management plan if it complies with the criteria for approval fixed in the Agreement.

The Commission may withdraw legal assistance if, after making reasonable attempts to reach agreement with the Attorney-General on a case management plan, the Commission fails to obtain the Attorney-General's agreement (*see clause 11 above*).

Clause 19: Protection for Commission against orders for costs

An order for costs cannot be made against the Commission in proceedings under this measure.

Clause 20: Service

A notice or document required or authorised to be given to a person may be given personally or by post, or be transmitted to the person by fax or e-mail.

Clause 21: Transitional provision

The new Act will apply to a person committed, on or after the commencement of the new Act, for trial of an offence whenever the offence is alleged to have been committed.

Clause 22: Regulations

The Governor may make regulations for the purposes of this measure, including a regulation providing that contravention of a regulation is a summary offence punishable by a fine not exceeding $10 000.

Mr ATKINSON secured the adjournment of the debate.

WATER RESOURCES (RESERVATION OF WATER) AMENDMENT BILL

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Page 3—After line 8 insert new clause as follows:

Amendment of s. 35A—Water (holding) allocations

2A. Section 35A of the principal Act is amended—

(a) by striking out 'At' from subsection (7) and substituting 'Subject to subsection (7a), at';

(b) by inserting the following subsection after subsection (7):

(7a) Where a water (holding) allocation in relation to which section 122A applies is to be transferred subject to a condition (referred to in section 122A(2)(c)) that the allocation—

(a) be converted to a water (taking) allocation; or

(b) be endorsed on the transferee's licence as a water (taking) allocation,

the application to the Minister to approve the transfer of the licence or to vary the transferring and receiving licences will be taken to include a request under subsection (7) to convert the water (holding) allocation to a water (taking) allocation.

No. 2. Page 5—After line 13 insert new clauses as follow:

Amendment of s. 120—Interpretation

3A. Section 120 of the principal Act is amended by striking out the definition of 'levy' in subsection (1) and substituting the following definition:

'levy' includes—

(a) an instalment of a levy; and

(b) a fee payable to the Minister under section 122A(5).

Insertion of s. 122A

3B. The following section is inserted after section 122 of the principal Act:

Provisions applying to water holding allocations in declared water resources

122A. (1) This section applies in relation to a water (holding) allocation if the water resource to which the allocation applies has been declared by the Minister by notice published in the Gazette to be a water resource in relation to which this section applies and the declaration has not been revoked.

(2) Where this section applies in relation to a water (holding) allocation the following provisions apply:

(a) subject to paragraph (b), a levy in respect of the allocation is not payable until the end of the financial year for which the levy is declared;

(b) if the allocation, or a part of it, is transferred to another person during the financial year, the levy or, where part only of the allocation is transferred, a proportionate part of it, is payable by the transferee at the time of transfer;

(c) the levy for a financial year is not payable if the licensee, on application to the Minister, satisfies the Minister that he or she made a genuine, but unsuccessful, attempt throughout, or through the greater part of, the financial year to find a person who was willing to buy the water (holding) allocation subject to the condition that the allocation—

(i) be converted to a water (taking) allocation; or

(ii) be endorsed on the transferee's licence as a water (taking) allocation.

(3) Paragraph (c) of subsection (2) applies in relation to the whole or a part of a water (holding) allocation and where it applies to part only of a water (holding) allocation a proportionate part of the levy is not payable in pursuance of that paragraph.

(4) Where the transfer of a water (holding) allocation is subject to a condition referred to in subsection (2)(c), the Minister must not—

(a) approve the transfer of the licence on which the allocation is endorsed; or

(b) vary the transferring and receiving licences,

to effect the transfer unless he or she—

(c) converts the water (holding) allocation to a water (taking) allocation; or

(d) endorses the allocation on the receiving licence as a water (taking) allocation,

(as the case requires) in accordance with the terms of the condition.

(5) Where a levy is not payable by virtue of subsection (2)(c) the licensee is liable to pay to the Minister a fee instead of the levy.

(6) The amount of the fee referred to in subsection (5) is either—

(a) $25; or

(b) such other amount as is declared by the Minister by notice published in the *Gazette* on or before 31 December in the financial year in relation to which the fee applies.

(7) An application to the Minister under subsection (2)(c) must—

(a) be in a form approved by the Minister; and

(b) be accompanied by such information as the Minister requires; and

(c) be made before the end of the relevant financial year.

(8) The Minister may, by subsequent notice published in the *Gazette*, vary or revoke a notice under subsection (1).

Amendment of s. 124—Liability for levy

3C. Section 124 of the principal Act is amended by striking out 'A levy' from subsection (10) and substituting 'Subject to section 122A(2), a levy'.

No. 3. Page 6, line 15 (clause 4)—Leave out 'and'.

No. 4. Page 6, line 19 (clause 4)—Leave out 'and'.

SOUTHERN STATE SUPERANNUATION (INVALIDITY/DEATH INSURANCE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this bill be now read a second time.

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

Leave granted.

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

The amendments fall into two main categories. The first category of amendments deal with the changes required to provide for the restructuring and introduction of simplified insurance arrangements. The second category of amendments are of a technical nature which deal with several administrative procedures which are being changed under the bill.

The current provisions of the act provide that members of the scheme (excluding a few exceptions) are automatically provided with a basic amount of death and invalidity insurance cover. The amount of cover is calculated at any point in time by multiplying a set percentage of the member's annual salary by the potential years of membership to age 60. Members also have the option to purchase "supplementary" death and invalidity insurance cover to provide additional or higher amounts of insurance cover. The supplementary death and invalidity insurance is also calculated at any point in time by multiplying a set percentage of the member's annual salary by the potential years of membership to age 60. At the present time less than 2 per cent of the members of Triple S have taken out supplementary death and invalidity insurance. That is, very few members have elected for a level of insurance over and above the basic level provided. The reasons given by members for the low take up rate of the supplementary death and invalidity insurance is that it is difficult to have a clear understanding of the prevailing level of basic insurance cover. As a guide, the "average employee" currently has cover for invalidity and death at the basic level, varying from about $48 000 at age 20, to around $26 000 at age 45. With supplementary insurance, the maximum cover available for the average 20 year old is about $168 000, and for the 45 year old, $91 000. As the current arrangements are related to salary, those employees on higher salaries have higher levels of basic insurance.

It is therefore proposed to restructure the insurance arrangements to provide for a simplified and more attractive arrangement which is also more easily understood by members. The proposed insurance arrangements will enable employees to purchase multiples of fixed amounts of insurance cover at specified ages, with the cover not limited by a member's salary. The package under consideration will enable all members up to age 35 to have a basic level of death and invalidity cover of $50 000. If a member takes up additional insurance, the cover will be able to be increased to $500 000. The $500 000 cover will be available for a full time employee at any age. The arrangements are more akin to those found in industry funds. As a result of the restructuring it is expected that the percentage of members taking out additional insurance will substantially increase.

Whilst the number of members taking out voluntary additional insurance is expected to substantially increase, members themselves will be meeting the costs of satisfying the increased liabilities. The premiums to be payable by members will be actuarially determined and set by the South Australian Superannuation Board. It is expected that the premiums will also be more attractive than the current rates.

To enable the restructuring of the insurance arrangements, the bill proposes a series of amendments which replace references to the specific concepts of the current arrangement, with the more general terminology that will support the new arrangement. The bill also proposes that the invalidity insurance be available until age 60 rather than age 55 as at present. This is possible because the scheme has a fully funded insurance pool fully financed by the members themselves. As members pay the required insurance premiums for basic and additional invalidity/death insurance, it is also proposed to remove the current restriction which denies an insurance benefit to a person who becomes entitled to a workers compensation payment on cessation of service. The current provisions in the act which require police officers to have the highest level of insurance prescribed by the regulations is also proposed to be amended to provide that police officers shall have additional insurance at a level as prescribed. This amendment is proposed because it will no longer be appropriate to require police to have cover at the highest level available because this could result in these members being compelled to have a level of insurance that is far in excess of their needs.

In respect to the provisions dealing with insurance, certain transitional provisions are also incorporated into the bill. These transitional provisions ensure that no person will be disadvantaged in relation to the amount of basic and additional invalidity/death insurance they are provided with as a consequence of moving to the new arrangements.

The actual details of the levels of insurance to be available at specific ages, and the cost of the insurance will be prescribed in regulations under the act. As I have already stated, the proposed insurance arrangements will have no impact on government costs.

The second category of changes are of a technical nature and deal with administrative issues. The act currently provides that members who contribute to the scheme from cash salary may make one-off lump sum contributions "over the counter" rather than through salary deduction to increase retirement savings. The Superannuation Board believes it is discriminatory to restrict this option to only those persons who contribute from salary. Accordingly, the Board has requested that the option be made available to all members of the scheme, including those who make no contribution from salary and only accrue the Superannuation Guarantee benefit.

The second of the administrative issues which is being changed in the bill deals with the time in which employers must pay the employer contributions to the Treasurer. The amendment will provide for the Superannuation Board to determine the period within which employers must pay the employer contributions. This will enable the Board to fix a time for payment which is more appropriate with the new e-commerce business systems being introduced to interface agencies with Super SA.

The Public Service Association, Australian Education Union (SA Branch), Police Association, South Australian Government Superannuation Federation and the South Australian Superannuation Board have been fully consulted in relation to these amendments, and have indicated they have no concerns in respect to the superannuation provisions proposed in the bill.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 3—Interpretation

This clause amends the definition section of the principal act to provide new terminology for the new insurance provisions in the act.

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

This clause makes a consequential change to terminology in section 9.

Clause 5: Amendment of s. 10—Accounts and audit

This clause inserts a requirement for the financial statements to include information on insurance premiums. This will assist the reporting process under Part 2 Division 5.

Clause 6: Amendment of s. 12—Payment of benefits

Clause 7: Amendment of s. 13A—Report as to cost of invalidity/death insurance benefits

Clause 8: Substitution of heading

Clause 9: Substitution of heading

These clauses make consequential changes.

Clause 10: Insertion of s. 21

This clause inserts new section 21 into the principal act. This section sets out the right of each member to basic invalidity/death insurance regardless of the member's state of health.

Clause 11: Amendment of s. 22—Application for additional invalidity/death insurance

This clause amends section 22 of the principal act. Most of these amendments are consequential changes to terminology. Subsection (3) provides for the compulsory level of insurance for members of the police force to be set out by regulation.

Clause 12: Substitution of s. 23

This clause inserts new section 23 which allows a member to increase or decrease the level of his or her insurance. This section covers the subject matter of existing sections 23 and 24.

Clause 13: Substitution of s. 24

This clause inserts new sections 24 and 24A.

Section 24 provides for the fixing of premiums for insurance. Premiums will be debited against each member's employer contribution account. If the balance in a member's account is in debit both basic and additional insurance are suspended.

New section 24A enables a member to voluntarily suspend (and reinstate later) his or her insurance.

Clause 14: Amendment of s. 25A—Other Contributions

This clause makes an amendment that will enable a member whose employment has not terminated to make contributions under section 25A even though he or she is not making contributions from salary.

Clause 15: Amendment of s. 26—Payments by employers

This clause makes an amendment that will enable the timing of payments by employers to the Treasurer under section 26 to be more flexible.

Clause 16: Amendment of s. 27—Employer contribution accounts

Clause 17: Amendment of s. 30—Interpretation

Clause 18: Amendment of s. 33A—Disability pension

These clauses make consequential amendments.

Clause 19: Amendment of s. 34—Termination of employment on invalidity

This clause makes amendments to section 34 of the principal act that are consequential on the introduction of the new insurance system.

Clause 20: Amendment of s. 35—Death of member

This clause makes amendments to section 35 of the principal act that are consequential on the introduction of the new insurance system. New subsection (4) provides that insurance benefits are not payable in relation to a person who takes his or her own life within 12 months after commencement of membership of the scheme.

Clause 21: Amendment of s. 36—Information to be given to certain members

This clause makes consequential changes to section 36 of the principal act.

Clause 22: Amendment of Schedule 3—Repeal and Transitional Provisions

This clause provides transitional provisions in respect of the new insurance scheme.

Ms WHITE secured the adjournment of the debate.

STATUTES AMENDMENT (INDEXATION OF SUPERANNUATION PENSIONS) BILL

Received from the Legislative Council and read a first time.

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

That this bill be now read a second time.

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

Leave granted.

This bill seeks to amend the *Governors' Pensions Act 1976*, the *Judges' Pensions Act 1971*, the *Parliamentary Superannuation Act 1974*, the *Police Superannuation Act 1990*, and the *Superannuation Act 1988*, so that twice yearly indexation of pensions can be implemented.

The government announced in May that it proposed to introduce legislation to the Parliament so that people in receipt of a State government superannuation pension could have their pensions adjusted twice a year in accordance with the movement in the Consumer Price Index. Twice yearly adjustments will ameliorate the current indexation lag for those persons in receipt of a superannuation pension. Under the proposed legislation, the first adjustment of pensions reflecting movement in prices over a six month period will occur with the first pension payable on or after 1 April 2002.

The current indexation provisions applicable to persons in receipt of a superannuation pension provide for pensions to be adjusted once a year in October. The adjustment in October reflects the movement in the Consumer Price Index over the twelve months to the previous 30 June.

The bill provides for the twice a year adjustments to be made in October and April each year. Under the new arrangements, the adjustment in October will reflect the movement in the Consumer Price Index over the six months to the previous 30 June, and the adjustment in April will reflect the movement in the Consumer Price Index over the six months to the previous 31 December.

The current arrangements that enable the Treasurer to prevent pensions from being reduced as a result of a negative movement of the Consumer Price Index are appropriately amended by the bill to reflect the fact that pensions will be subject to adjustment twice a year as from April 2002.

The adjustment to apply to pensions in October this year will still be based on the movement in the Consumer Price Index over the twelve months to 30 June 2001, as there has been no adjustment to pensions since October 2000.

The proposals contained in this bill will bring South Australia into line with the States of Victoria, Tasmania, and Western Australia, who already provide twice a year adjustments for superannuation pensions. The commonwealth government has also recently announced its intentions to introduce similar changes.

Explanation of clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

Clause 3 is an interpretative provision.

Clause 4: Amendment of s. 4—Amount of pension

Clause 4 makes amendments to section 4 of the *Governors' Pensions Act 1976* that are consequential on new section 5A inserted by clause 5.

Clause 5: Insertion of s. 5A

Clause 5 inserts new section 5A into the *Governors' Pensions Act 1976*. This section provides for twice yearly adjustment of pensions under the act in terms similar to the terms (after amendment by this act) of adjustment provisions in the other superannuation acts.

Clause 6: Amendment of s. 14A—Adjustment of pensions

Clause 6 amends the adjustment provision of the *Judges' Pensions Act 1971* to provide for twice yearly adjustment of pensions in line with changes in the Consumer Price Index.

Clause 7: Amendment of s. 35—Adjustment of pensions

Clause 8: Amendment of s. 42—Adjustment of pensions

Clause 9: Amendment of s. 47—Adjustment of pensions

These clauses amend the *Parliamentary Superannuation Act 1974*, the *Police Superannuation Act 1990* and the *Superannuation Act 1988* in a similar manner.

Mr FOLEY secured the adjournment of the debate.

DEVELOPMENT (ADULT BOOK/SEX SHOPS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

GRAFFITI CONTROL BILL

Adjourned debate on second reading.

(Continued from 4 July. Page 1987.)

Mr ATKINSON (Spence): This is yet another government bill which was drafted and brought into the parliament to pre-empt a private member's bill. The initiator of this measure is not the government, still less is it the Attorney-General, the Hon. K.T. Griffin: the initiator of this bill is the member for Fisher. The member for Fisher has very good judgment as to what measures the people of South Australia would like their parliament to be deliberating upon, so it was the member for Fisher who brought the Summary Offences (Sale of Spray Paint) Amendment Bill into this chamber some months ago. It was in a desperate and rather unseemly attempt to pre-empt the member for Fisher's bill and to get in before it was carried by the House of Assembly that the government in another place introduced the bill before us, which is the Graffiti Control Bill.

There are two principal aspects to the Graffiti Control Bill; one is that it takes the dedicated graffiti offences out of the Summary Offences Act, where they have been since they were introduced by the person who is now the Leader of the Opposition, and puts them in this dedicated act to be the Graffiti Control Act. Now, that is just legislative symbolism. That gesture has no merit to it and is just window-dressing

for the public, but it is one principal aspect of the bill. I see no difficulty with the anti-graffiti provisions remaining in the Summary Offences Act; that seems a sensible place for them to be. Nevertheless, as part of pre-empting the member for Fisher, the government has decided that it will take those provisions out of the Summary Offences Act and put them in a dedicated act.

The second aspect to the bill is that it introduces three new offences with respect to graffiti. The first is that cans of spray paint on sale must be safely secured. So, the government bill provides that, if a person wants to buy a can of spray paint in South Australia, he or she will have to seek the assistance of a shop assistant to get access to the can of spray paint. The paint manufacturers oppose this bill, because the modern method of retailing will no longer be possible. The modern method of retailing is to leave items around the shop freely accessible to members of the public so that shoppers can pick them up, inspect them and then take them to the counter and purchase them or, as was happening in South Australia from time to time, steal them. Let's face it, many of the spray cans that were used for graffiti vandalism were not purchased: they were shoplifted.

But retailers of spray cans, like retailers of all other goods, find that it is more efficient to cop the shoplifting losses, because the public finds it attractive to buy in the modern way—to pick up the item and take it to the counter. Retailers could eliminate or almost eliminate shoplifting by having all the goods behind the counter, and the customer would have to ask for those goods. Sir, I imagine that in some general stores in your electorate that would still be the method of retailing, and I imagine that those general stores have very low rates of shoplifting, but as a form of retailing it just does not work. So, the paint manufacturers are very annoyed about this provision, but it is a sensible provision to regulate the sale of spray cans, which are the principal method of marking unlawful graffiti in South Australia.

The paint manufacturers say that it will cost retailers a fortune to set up the secure glass cases in which these spray cans are to be displayed, but the truth of the matter is that no retailer has to invest in these display cases. A retailer can simply store the spray cans behind the counter, or the retailer can advertise that cans of spray paint are available and that the shop assistant can retrieve them from the back of the shop and provide them to the customer. But, let us face it, the retailers will want to put these cans on display, because it is by putting them on display that they manage to sell them. If they have to secure them, the only way to do that is a locked display case. In that case the customer would point out to the shop assistant the kind of can he or she wants and the shop assistant would have to unlock the cabinet. That is the first provision of the bill, and it is a straight lift from the member for Fisher's private member's bill. That is a sensible provision, and the opposition will support it.

The Hon. R.B. Such: It's like cigarettes.

Mr ATKINSON: The member for Fisher says it is like cigarettes, and there is some merit in that comparison, except that in this case the harm is done not to the purchaser but to society in general, when the goods are used in the way that the purchaser intends.

The second aspect of the bill is to prohibit the sale of spray cans to a minor, a person under the age of 18 years. The member for Fisher was actually more liberal in the way he approached this matter. The member for Fisher's bill provides that a person must not sell a can of spray paint to a minor unless (a) the minor produces evidence of his or her name or (b) the person makes a written record of the minor's name, the date of the sale and the colour, brand and quantity of spray paint sold to the minor. In this case, having initially opposed the member for Fisher's bill, the government actually goes further than the member for Fisher and says that we just will not sell cans of spray paint to minors. That has the virtue of simplicity, and the opposition is willing to support that also.

The third aspect of the government's bill is something that I do not think the member for Fisher contemplated, and that is making sure that a sign is displayed in a prominent position of the shop from which cans of spray paint are sold. The sign would read:

> It is unlawful to sell cans of spray paint to a person under 18. Persons may be required to produce evidence of age when purchasing cans of spray paint.

That also seems a reasonable provision and the opposition is happy to support it.

Before going further on deliberation on this bill, I want to make this point. It will be very hard to track the level of graffiti vandalism in South Australia and very hard to assess the rate at which offenders are charged with graffiti vandalism, because of the policies of the Director of Public Prosecutions. You see, if they are nicked, most graffiti vandals in South Australia are not charged with the dedicated graffiti offences in the Summary Offences Act: they are charged with property damage. If they are charged with a general property damage offence, you cannot track how many are the ordinary form of property damage and how many are graffiti vandalism. It so happens that that suits the Attorney-General down to the ground; and why does it suit the Attorney-General? He does not really want us to know what the incidence of graffiti vandalism charges and convictions are in South Australia; he would prefer us not to know that information because, if we had reliable information on the incidence of graffiti vandalism in South Australia, it could be politically awkward for him, especially if it goes up sharply.

So, whenever the crime statistics come out on graffiti vandalism, the Attorney-General can say, 'Oh well; you don't have to take any notice of that, because the vast majority of graffiti vandals are charged with property damage, and we cannot tell from the property damage statistics how many are graffiti vandals.' That will not change by bringing in this bill. The only way that will change is if the Attorney-General of this state gives a direction to the Director of Public Prosecutions—as the Attorney can under the DPP Act, although out of ignorance our Attorney has denied it—that, in cases of graffiti vandalism, the dedicated graffiti vandalism offences will be used.

I now move on from that to other aspects of the Attorney's bill. I notice that the member for Stuart has had some influence on this government bill because there is provision, under the clause 'Appointment and powers of authorised persons', that an authorised person—that is, an inspector under this bill—must not address offensive language to any other person or, without lawful authority, hinder or obstruct or use or threaten to use force in relation to any other person.

As members well know, the member for Stuart, over his 31 years in parliament, has had very little influence on public policy in this state. Time and again, he has been overruled by ministers, especially the Attorney-General, in the party room. However, after 31 years, it is nice to see the member for Stuart having some influence on the statute book of the state, however minor, because clause 7(6) has the member for Stuart's name written all over it.

Another provision of the bill is that local government will have power to appoint inspectors—or authorised persons as stated in the bill—to enforce the three principal offences—new offences—that are being introduced. I do not think that local government is very keen to become the graffiti policemen of South Australia. They would far rather leave that duty to the police, but the government is determined to give local government that authority. The Local Government Association has told me that, whereas local government would acquiesce in appointing local government officers to police the offence of cans of spray paint not being secured or the offence of the notice not being displayed in retail premises, local government is pretty reluctant to appoint authorised persons to police the offence of selling spray cans to minors. I sympathise with local government about that because it is not inherently a function of local government to ensure that certain items that are not to be sold to minors are not sold to minors. That seems to me to be inherently a police function.

The opposition suggested to the Attorney-General that he might amend the bill to exempt local government from appointing authorised officers to enforce clause 5—sale of cans of spray paint to minors. As is the wont of the Attorney, he dismissed our amendment because, of course, we are the opposition, we are the parliamentary Labor Party, and we should have no role in the public policy or statute law of the state. However, having dismissed our amendment, he came to his senses in between the bill coming from the other place to this place and he has now introduced a clause that would give local government the discretion not to appoint authorised officers to enforce clause 5. I would be very surprised if any of the 68 or so local government bodies in South Australia would appoint inspectors to try to police the law that a person must not sell a can of spray paint to a minor. It is not in the nature of local government inspectors to hang around for half the day in retail premises waiting to see if a can of spray paint is sold to a minor.

Another aspect of the bill is that the government wants to give authority to councils to remove or obliterate graffiti where that graffiti is on private property and is visible from a public place. I was originally concerned that this clause may give council authority to remove graffiti from private property without the consent of the owner. Members may be interested to know that a householder in Young Avenue, West Hindmarsh, in my electorate, has graffitied his own premises over the last 15 years or so. He graffities the side wall of his cottage, which faces onto Gawler Avenue, West Hindmarsh. His house is on the corner of Young Avenue and Gawler Avenue, West Hindmarsh. This householder does not graffiti the side of his house with just any old meaningless graffiti or tags. He writes political slogans on the side of his house.

The Hon. R.B. Such: 'Vote for Michael'?

Mr ATKINSON: Well, no he does not actually write 'Vote for Michael' on the side of his house. When I was first a candidate campaigning for the electorate of Spence and doorknocking that area, he was writing on the side of his house 'US bases out. Close Pine Gap' and those kinds of things. He has moved through a series of issues of the day, such as 'Food Irradiation' and 'US bases'. I have not been down there lately, but—

The Hon. R.B. Such: 'Open Barton Road'?

Mr ATKINSON: No, he has not written 'Open Barton Road' on the side of his house. I think that he is more into bigger issues than Barton Road. I was concerned that this bill may empower the Charles Sturt Council to enter onto his property and, with due notice to him, whitewash over all the political graffiti on the side of his house without his consent and then send him the bill for obliterating the graffiti. However, on a closer inspection of the bill, I am pleased to see that the owner or occupier may, prior to the day on which the council is due to obliterate the graffiti, tell the council that he or she objects to the council taking the proposed action, and as a result the council will not take the proposed action.

I am also informed by the Local Government Association that under the Local Government Act there is provision for councils to enter onto private property and to do certain things authorised by the Local Government Act without the consent of the householder. I was also concerned about council having authority to obliterate graffiti on private property without the consent of the owner for another reason. If you walk around the streets of suburban Adelaide, you will often see the sad sight of an abandoned or disused set of strip shops, perhaps shops that were a deli, a hairdresser's or a laundromat, all in a row. Owing to the pressures of retail competition, all those shops are disused and have been disused for a long time. Of course, those strip shops become a target for graffiti.

There is nothing really the owner of the shops can do to prevent graffiti being written on those shops because they have a pavement frontage, and a wire fence cannot be placed around them. So, I was concerned that the owners of those strip shops might be subject to compulsorily obliteration of graffiti by the council if some of the neighbours complained about the graffiti, and the owner of the strip shop who, goodness knows, is not getting any rent from those shops would be forced to pay the council to obliterate the graffiti. I think that would be unfair, even though I admit that these shops are a public eyesore.

They are the principal provisions of the bill, and the opposition supports the government bill while acknowledging that the true author of this policy is the member for Fisher. The government bill was drafted in haste to get ahead of the member for Fisher. In the course of drafting the bill, I think members will find that the government made some drafting errors. One of those drafting errors was that in transferring these offences from the Summary Offences Act to the Graffiti Control Bill the government failed to include a very important provision on burden of proof.

Under the Summary Offences Act, it is up to the prosecution to prove that the alleged offender was carrying graffiti implements. But, having established that the offender was doing so, there is then a provision that it must be established that the graffiti implements were being carried without a lawful excuse. It is important (and it was provided in the Summary Offences Act) that the onus of establishing that the alleged offender was carrying the implements with a lawful excuse was on the offender. That is just a normal burden of proof provision. But, in transferring the offence from the Summary Offences Act to the Graffiti Control Bill, the government, in its drafting haste, left out that burden of proof provision, and this would have meant that it was almost impossible for the prosecutor to establish these graffiti vandalism offences. So the government has moved an amendment to say that:

> Where this part provides that an act done without lawful authority or lawful excuse constitutes an offence, the onus in proceedings for such an offence lies on the defendant to prove lawful authority or lawful excuse.

The opposition supports that amendment, and it only wishes that the government, in its haste to try to take away the credit

for these changes from the member for Fisher, had drafted the bill properly.

The Hon. D.C. Kotz interjecting:

Mr ATKINSON: The Minister for Local Government implies that there may have been a drafting error by the Hon. Nick Xenophon in another place for which somehow I am responsible. Our amendment to the Statutes Amendment (Local Government) Act is just perfect and had the support of the overwhelming majority in the other place. On that issue, the government crashed to its heaviest defeat in another place since it was elected in 1993. Another provision—

The Hon. D.C. Kotz interjecting:

Mr ATKINSON: Ma'am, I'm on my feet; I've got the call. The only interjections of yours that will be picked up are ones that I want to pick up. The government is moving another amendment to its own bill in this place. I have dealt satisfactorily with the government amendments, and the opposition supports both of them. However, as I said, the Attorney-General is really the lyrebird of the other place, because he is always mimicking legislative provisions introduced by Independents or opposition members; and he is always mimicking amendments moved in another place by the opposition, but changing them just a little to make them look as though they are original and to look as though he is not giving in to the opposition. He is a most graceless legislator.

I would like now to canvass some amendments foreshadowed by the member for Fisher—and I am probably a little out of order in doing this. The honourable member proposes that a person who supplies another person with a graffiti implement, knowing or having reason to believe that it will be used by that other person to mark graffiti, is guilty of an offence. To the opposition that seems a quite sensible provision to be introducing. It is very hard to prove. But, nevertheless, if we are going to ban the sale of spray cans to minors, we have to try to prevent adults buying a spray can and then handing it straight to a minor who intends to use it to mark graffiti—and not just a minor, any person, even an adult who intends to mark graffiti.

The other provision that the member for Fisher proposes to introduce is an addition to clause 9. In clause 9, the government says that, upon finding a person guilty of an offence against the Graffiti Control Bill, the court can order that person to pay to the owner or occupier of the property in relation to which the offence was committed such compensation as the court thinks fit. It seems to me that there are already in our law provisions that would have allowed that to happen. However, in his search for populism, the Attorney reproduces that provision and puts it in the Graffiti Control Bill out of an abundance of caution.

The opposition does not object to that; we certainly would have supported that, and we did in another place. However, we also support the provision proposed to be inserted by the member for Fisher which provides that, if the court is satisfied that it will be reasonably practicable for the person to take action under the supervision of an appropriate authority to remove or obliterate the graffiti, it can order that the person take action and in doing so comply with all reasonable directions of the appropriate authority. Again, that seems to me to be a sensible amendment, and the opposition will certainly be supporting it.

Overall, this is a bill which the public of South Australia would overwhelmingly support. It is a bill that is worth persisting with. I acknowledge the argument of the paint manufacturers—that the law by itself will not rid us of the scourge of graffiti vandalism. That is quite true, and many other factors in society determine the extent and nature of graffiti vandalism. However, this is one small step we can take to show the public of South Australia that the politicians share their concern about graffiti vandalism and are prepared to take a few steps, however modest, to try to reduce the incidence of graffiti vandalism in South Australia.

On a recent visit to Perth it became apparent to me that there is something that the Western Australian government and local government in Western Australia are doing—certainly in the vicinity of Perth's rail network—which has reduced graffiti enormously. There may be some merit in looking into what that is. However, this bill is a small step we can take to show that we are serious about doing something about graffiti vandalism. I commend it to the House, together with the member for Fisher's amendments.

The Hon. R.B. SUCH (Fisher): I thank the shadow attorney for his support. I commend this bill to the House. I am pleased that, even though it has taken a while to get here, the government and the Attorney-General have finally seen fit to move on this issue. If I have prompted or encouraged and prodded them into action, that is good. The main issue, though, is that we try to deal with what is a very costly blight on our community.

I agree with the member for Spence that this is not the total answer. There are many aspects to it: culture, parenting values, and so on. This is only a part of what should be a total approach to a costly issue. Let us not kid ourselves: graffiti vandalism is costing our community millions of dollars, which is money that could be spent on more constructive and productive facilities and resources, especially for young people. It saddens me to see the money that is spent removing graffiti and trying to tackle damage caused by graffiti, when those resources could go into much needed areas. I know that in the council area in which my electorate falls—the City of Onkaparinga—it is costing hundreds of thousands of dollars to deal with this issue.

I have heard some people say, 'It could be worse; they could be out robbing banks.' I find that a ridiculous argument. That is like saying, 'Let us tolerate shoplifting, because they could be stealing motor cars.' It is an absurd, illogical argument. To those who say that it is harmless, my response is: put a sign in front of your house or your property and invite the vandals to do the graffiti on your property.

Mr Lewis: On your walls and windows.

The Hon. R.B. SUCH: As the member for Hammond says, on your walls and windows. If it is so good and so harmless, invite them to your place. But at the moment the vandals do it on other people's property, on public property and private property, at great cost to the community and at great cost to individual property owners.

I am disappointed that it has taken so long to reach this point. I have known for a long time that the voluntary code of retailers has not worked. Indeed, one of the largest retailers in this state has not cooperated and, despite what some people may think, some of the so-called discount stores have cooperated—not all the so-called $2 stores, but stores such as Cunninghams, Cheap as Chips, and so on, have cooperated and done the right thing, and they should be applauded for that.

On the very day that the government announced this measure, I received a letter from the police department saying that the present system was working well. So, that gives an insight into a backflip by the government on this issue. I also

had a visit from someone from KESAB who said that the voluntary code was working and that the government would pursue that and had given money to KESAB to keep promoting it. Finally, light got through, and I am pleased and delighted that the Attorney has responded.

The Australian Retailers Association does not support the securing of cans, which this bill provides for—but that may well be something that we could all have expected. The paint manufacturers are against it, and the Youth Affairs Council is against it. The Youth Affairs Council has argued that it is not only teenagers, it is not only minors, who do it, and I accept that. That is why I have an amendment that is designed to deal with adults who become involved in supplying graffiti materials, not just spray cans.

This bill, as has been outlined by the member for Spence, requires cans to be kept secure, which was part of my proposal, and I am pleased that it is in there. The member for Spence pointed out that this measure is tougher on young people, in the sense that it does not allow minors to purchase cans at all, whereas my provision was to allow them to purchase cans provided they gave details of their name, address and so on. This bill says no sale of cans to minors. It puts responsibilities on councils and, once again, I agree with the member for Spence: I think it is the role of police to enforce laws involving matters such as this, not councils. But given that the bill now allows an option for councils, I am much more relaxed about it. The power to remove or obliterate graffiti under the direction of council, I think, is reasonable—once again provided, as the bill now says, it is done with the knowledge and consent of the property owner. The bill also makes provision for the creation of regulations and a code of practice. I am most interested to know what that will be, and I trust that it will further consolidate this thrust against unproductive, anti-social behaviour.

Some people would see this as an anti young person measure. I do not. I have great regard for young people: 98 per cent of them do the right thing. I have great compassion for young people. But I do not believe that tolerating or accepting graffiti vandalism has anything to do with showing respect or consideration or empathy for young people. The realistic situation is that the community wants some action; it has wanted action for a long time. I think that this bill will go a long way to achieve that. I am delighted that the opposition and independent members support the amendments that I have put forward, because I believe that those amendments will make this an even better bill.

As was canvassed earlier tonight, the amendments give a court power to order the offender to remove or obliterate the graffiti. That is reasonable, and it should have happened years ago. It can order, where appropriate, compensation to be provided by the offender, and it also covers the loophole where an adult, or any person, obtains graffiti implements and supplies them to someone else. It makes that an offence. Without that, this bill could have a significant loophole and allow people to get around the focus on minors.

I look forward to the speedy passage of this bill. It is long overdue and I am delighted that, at long last, we have before the House a measure that will tackle an extremely costly, unproductive and anti-social impact on our society. I look forward to this bill's speedy passage, and then I will happily withdraw my private member's bill.

Mr LEWIS secured the adjournment of the debate.

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Mr LEWIS (Hammond): I wish to raise several matters, and this extraordinary opportunity affords itself completely as manna from heaven, as far as I am concerned. Although I do not have any notes with me at the present time, let me tell members that I am pleased to have the chance to tell the government and the House exactly what I am disturbed by in the way in which the government has managed its affairs in the parliament during the course of this sitting week. You see, what happens in parliament when political parties take control of the agenda is quite simply that the political parties meet behind locked doors.

They decide what it is they want to do as an organisation after debating it in a completely confidential manner in which the public are unable to participate, even as observers. The end result is, of course, that we do not know, as members of the public, what it is each of the individual members of those parties here in the parliament had to say about what they thought ought to be done. No; we do not know that and the public at large do not know it. When the matter is decided in that party room everyone comes out of it compelled to follow the same line of argument when the matters are raised here in this chamber, and that is not in the interests of democracy, and why? Because no clear explanation is given by any individual member as to why they agree to the point of view that is being expressed, albeit collectively on their behalf, or why they disagree.

Indeed, they have got to the point over these past 20 years—that I have noticed—where many of them simply have, if you like, taken a virtual lobotomy. They do not want to get involved in the discussion of the processes: they leave that to the faction bosses in their respective party rooms. The Labor Party calls its meetings a caucus and the Liberal Party calls its meetings a party meeting, and the end result of those deliberations is that the factional bosses, even before the party meetings have occurred, sit down with their factional members and they decide on the position they will take when it comes to the debate in the party room that the party alone hears.

The public does not know what is going on, that is, referring to the Labor Party. The public has no idea what it was within the factions that determined the stance taken by the bosses when they get into the party room, leave alone what the outcome will be in the deals that are brokered by those factional bosses—each with the other—come the time for the debate in the caucus. They will say, 'You have your way on this one so long as you give me my way—

Mr Clarke: What debate in the caucus?

Mr LEWIS: That is the point I am coming to. In more recent time it has got to the stage where the caucus agenda is written down and the outcome of that agenda is already known before the meeting is called and, in consequence, you get members, such as the members for Norwood, Torrens and Giles, left out completely. They do not know what is happening or why it is happening and they are powerless to do anything about it. If they dared to raise their voice publicly about the process that compels them to vote whichever way the party dictates, they would be expelled from the party, and the member for Ross Smith well understands what I am talking about here.

Mr Clarke: Only too well.

Mr LEWIS: Only too well.

Mr Hanna interjecting:

Mr LEWIS: And the member for Mitchell knows what I am talking about here and complies with it as a matter of convenience. He is a man with some intellectual integrity. There is integrity of ideas in that man's mind, as there is now in the mind of the Minister for Minerals and Energy (the member for Bright), yet in the Liberal Party room the same thing happens, though not to the same organised extent. The end result, as far as the public is concerned, is identical. No-one knows what the debate was inside the Liberal Party room, which determines the stance the party would take here in this parliament, and that means that the word itself and what it implies—'parliament'—does not happen.

There is no parley, there is no argument, there is no resolution of difference through free and fearless discussion under the privilege provided over the centuries by this institution to produce an outcome which is in the public interest when all the people in here, after having heard the argument for and against on any one issue, decide how they will vote, one way or the other. It is not necessary to bring down a government, for God's sake, for your sake, Mr Speaker, for my sake and for the public's sake, just because individual human beings have views that are conscientiously held based on all the available information to them that may be different from another individual's views about the matter.

There is no shame in that, yet from the way the press write up what happens in the parliament one would think that the world was going to end tomorrow for one or other of the parties if a member of those major parties—the Liberal and the Labor Parties—dared to speak about (leave alone vote against) anything in a way contrary to what the party had decided. The fools who are the journalists in this society at large have been unwilling to report that in any detail until very recent time, but now they know better than the party bosses, better than the factional bosses, that the public are fed up. They are PO'd with the whole process.

They cannot any longer contain a commitment to report only what the spin doctors from either of the major political parties want reported, and I commend those journalists who have now broken out of that mould. It is a great pity that some of the authors of the reader's articles that go into the mass circulation media had not already woken up. They still take their lead from the kinds of comments that are made to them carefully and deliberately throughout the week to massage their ideas into the framework that the spin doctors want for their major political party bosses to get across in those reader articles.

What is written is very often in no way a resemblance of what has occurred in the parliament, and that is sad, because the public then have the mistaken impression that the parliament is still failing to function in the way in which they want it to, believe that it should and are entitled to expect it to. If we ever get to the stage of doing the sorts of things that have happened in Jakarta in recent days, it will be more than God's help we will need to get ourselves out of the mess in which we will have found ourselves.

Yesterday, three bills were brought into this place and a deal was done between the opposition (the ALP) and the Liberal Party in government to have those matters debated without notice being given of them or adequate explanation being provided. And as for members of the government ministry saying that that poor little chap, Alexander (who has all my sympathy), has collapsed and been taken to hospital as a result of the stress that was imposed upon him in consequence of those three bills not being communicated to me and other members in this chamber is grossly unfair.

It is just a matter of incompetence on the part of the government, and I fear that the Labor Party might be no different. Again, today, this last measure we have had before us, the Graffiti Control Bill, is not even on the program for today's activities—leave alone the formal *Notice Paper*, the one we all have to go by, yet the government wanted to deal with it. I am talking for the sake of the record because here we are, at the threshold of the 21st century, and either we do something to ensure that the parliament survives as an institution that is relevant and respected by the wider community, or—and I know that the member for Stuart shares my views on this matter—we will deserve the disdain and the contempt with which we are treated by those who analyse our actions, when posterity allows them to do so, saying that we did not care, yet we were the people who wanted the power, accepted the power, took the responsibility and did such a bad thing in the name of democracy.

Mr CLARKE (Ross Smith): I do not know how to top the member for Hammond, but—

The Hon. W.A. Matthew: I am sure you can try, Ralph.

Mr CLARKE: I will restrain myself. However, the comments I want to make tonight relate to a report which was recently handed down in the federal parliament—the Christopher Pyne joint committee on electoral reform or the standing committee on electoral matters—and which was published fairly recently. I want to deal with that in some detail. However, I note that, with respect to the member for Hammond's comments about the media, of course the fourth estate in this state is such a disgrace, in particular the printed media, that they are of no use whatsoever to safeguard democracy. I would feel far happier if it was *Pravda* or *Izvestia* operating in this town. At least we would have two newspapers rather than one printing the usual bile from the Murdoch press. I have made that point on numerous occasions. I will say that, at least with respect to owner of the Murdoch Press, when I eventually get lowered six foot under, hopefully later rather than sooner, I will not have on my tombstone, 'I sold my citizenship for so many US dollars.'

Getting back to the Christopher Pyne committee, it is unfortunate that that committee turned into such a blatant act of partisanship by the Liberal Party that what could have been good work done to reform political parties in this country has been traduced because of its naked political bias. Christopher Pyne went out to do a hatchet job for the Liberal Party—and he has done it—but it brings no credit to the federal parliament or the interests of democracy in this country.

It has long been my view that if political parties are each to accept something like $15 million in federal funding then, just like trade unions, because of their privileged position (and rightfully so in terms of representing the interests of workers and having protected industrial action, and the like), when they put their hand out for the taxpayers dollar those parties likewise should have a commitment to democratic processes in their internal governance.

It is an outrage that in the Liberal Party preselection for Ryan, residents in Hong Kong could be members of the Liberal Party and vote in Liberal Party preselection. It is an outrage that Victorian residents in Echuca can be allocated to the Kings Park branch of the Liberal Party and decide who the Liberal Party member for Unley should be. On the other

hand, also with respect to the Labor Party, it too will have to face the change that the Labor Party in Britain had to face in 1993 when it brought in the one member one vote value. We cannot proclaim the principles of democracy of one vote one value in this country when, in the internal preselection processes of the major parties which form government, and even in opposition form such an important part in the legislative process, that democratic principle is curtailed by the fact that their internal governance does not allow for it.

It is far better for a Labor Party with its organic links with the trade union movement for individual unionists being affiliated to the Labor Party, just as in Britain, to tick a box which says, 'I want to belong to the Labor Party and I am prepared to pay not only my union fees but also extra money to the Labor Party to count as a member of the Labor Party', and, where they vote in internal preselection battles, they vote for the leadership of their political party and the national executive of that party.

That has strengthened the British Labour Party. When Thatcher brought in moves where trade unions in the 1980s would have to have a plebiscite of its members as to whether or not they would be affiliated with the British Labour Party, Thatcher thought that would destroy the Labour Party. It did not. It made the organic links between the trade union movement and the British Labour Party stronger because the officials went out and convinced rank and file union members to belong to the Labour Party and to feel a part of it.

In those days it was just a block union vote. These days, five million individual British trade unionists vote for the leaders of the British Labour Party and for the national executive on one member one vote value, and the federal secretary and the federal council of that union can recommend how they should vote and the reasons why they should vote for a particular slate, but they are free to vote on a one vote one value basis

Mr Koutsantonis interjecting:

Mr CLARKE: In answer to the interjection from the member for Peake, in 1987, as union secretary for the then Federated Clerks Union—the only union affiliated to the Labor Party in South Australia—I took a secret vote, postal ballot, of every financial member of that union run by the State Electoral Commission as to whether our union should affiliate to the Labor Party—and we won. The majority voted. No-one in the STA did it; no-one in any other union affiliated to the Labor Party has ever done what I did in 1987, when I allowed every member a free postal vote, run by the State Electoral Commission, and we paid for it. The union paid the State Electoral Commission to conduct that vote. I have no shame whatsoever with respect to affiliating my union to the Labor Party because it was by a free democratic vote supervised by the State Electoral Commission.

How many unions would do it today? How many of them know they are affiliated? How many know that some affiliate for 100 per cent of their membership when it is not possible for 100 per cent of them to vote for one particular party? I believe in the trade union movement affiliating to the Labor Party. I believe in the organic link between trade unions and the Labor Party, but it has to be because people believe in it, that they are conscious of those decisions, and that they absolutely believe in it and do it—just like they used to do.

Likewise, with respect to the Liberal Party, when it wants to cast aspersions on the Labor Party and its link with the union movement, when was the last time that there was a one vote one value ballot of company shareholders to determine how much would be donated by that company to political parties? There has been none whatsoever.

I am trying to pull together the threads with respect to the Christopher Pyne report. I personally support the principle that there should be changes to the Electoral Act to provide that there should be a central plank in the Electoral Act which provides that political parties must have democratic principles enshrined in their rules where individual rank and file members control their executives. That is the same principle that Clyde Cameron brought into the then federal Industrial Relations Act in 1973. It enshrined the democratic control of rank and file unionists, where every individual member had the right to nominate for a position and to vote in free elections conducted by the Australian Electoral Commission.

Ultimately, all major political parties will have to face the same situation because, if we do not, the alienation or the gap between the ordinary person in the street and their elected representatives widens because they do not believe that the political parties are responding to their needs; that it is a small clique of power brokers in the major parties who control things; and that the ordinary person has little influence.

There is no point in having electoral laws which provide for the Electoral Commission, with free and democratic elections to be held on one vote one value, when the political parties that fill 99 per cent of positions in this House and other houses throughout Australian parliamentary chambers are not governed by the same principles.

Motion carried.

At 9.30 p.m. the House adjourned until Thursday 26 July at 10.30 a.m.