

HOUSE OF ASSEMBLY

Thursday 22 July 2004

The **SPEAKER (Hon. I.P. Lewis)** took the chair at 10.30 a.m. and read prayers.

BARLEY SINGLE DESK

Adjourned debate on motion of Mr Rau:

That this house calls upon the federal Treasurer to support the barley single desk rather than penalising South Australia through the withdrawal of national competition payments,

which Mr Meier had moved to amend by inserting after 'payments' the words:

and calls on the state Labor government not to abolish the single desk and to become far more pro-active in arguing the case for its retention to the National Competition Council.

(Continued from 1 July. Page 2666.)

Mr VENNING (Schubert): I appreciate the member for Enfield's point of view in relation to the single desk, and I know that most of the growers in the state appreciate his forthright and willing manner in portraying that point of view. But I oppose the motion this morning, because it is founded on a falsity, that is, that the federal minister is responsible for this, because he is not. The National Competition Council is responsible for overseeing what happens here, not the federal minister. The federal minister does not have the discretion to override the national competition policy or the council. We know that. What annoys me is that the Labor Party (and I do not know whether the member for Enfield is aiding and abetting this knowingly or whether he is being used) is using the issue for political reasons, particularly in relation to the federal election and putting pressure on the federal government.

I am the first to admit that, with respect to the whole of the national competition policy, I am very concerned when it interferes like this. The member for Enfield and I share that belief. But I do not believe it is correct to say that we should, as he wants to, have a go at the federal Treasurer to support the barley single desk. It is not the federal Treasurer or the federal Minister for Primary Industries to whom we should address this. We should address it squarely to the National Competition Council, and we should do so by a full report that shows that the single desk marketing of both barley and wheat—and any other product, for that matter—is for the overall good of the industry. It should not be very hard to prove that.

In recent times we have seen the Round report prepared to do this job and, of course, we know the Round report was not conclusive. The authors stated that they could not come up with a recommendation because they did not have the resources to do the full job. Why did not our own minister immediately call for more resources, whether it be from government or industry or both, and then immediately address the highlights in the Round report, which certainly showed us where the benefits are. I want to criticise the Round report, which I have read, now that I have a copy. After reading all the evidence and seeing the recommendations, I am quite aghast. These reports are very much dependent upon who is selected to compile them. I believe that is what has happened in this instance. We had a kangaroo

court, so to speak. There were three people on it, only one of which was a farmer, and I believe the farmers got rolled.

Again, I had better declare my interests as a farmer and a member of the Australian Barley Board (as are all farmers) and also the Australian Wheat Board. This morning I attended a conference at West Beach (as did the minister) where we heard a presentation from the Grains Council of Australia that not only is the single desk an advantage to the industry—the growers—it is also an advantage to the end user who purchases it, because they like to do all in-house purchasing. It can be an advantage to the purchaser as well, so we have not looked at that side of this benefit. I certainly would be supporting the amendment moved by the member for Goyder, the Hon. John Meier, by inserting the words 'and calls on the state Labor government not to abolish the single desk and to become far more proactive in arguing the case for its retention to the National Competition Council.' I support the amendment and I thank the member for Goyder for moving that because it is the correct way to do it.

I am very concerned that this issue is getting out of hand and I do not want to see this issue break out and cause more angst. It is causing some uncertainty amongst the farming fraternity, and we all know that very shortly they have to consider the legal ramifications of this merger, and the minister spoke to me about this. I do not wish to confuse the two because in the end I believe that the farmers—the majority—will win out in this matter. I believe that, at the moment, most farmers are considering this merger because it is best for the farmers and, most importantly, it is best for South Australia because we will have one of the largest grain trading companies in Australia, and certainly it would be one of the larger trading companies in Australia. If we lose this merger I am sure that the mergers will go to New South Wales and Western Australia, and we will then become only a branch office of this very large grain trading identity.

I applaud the member for Enfield for his sentiments on the single desk. I only hope that it is not just hollow rhetoric. I do not believe that he is the sort of person who plays politics for the sake of playing politics so I give him the benefit of the doubt that, in this instance, I think he has been honest, but a little bit tricky with the sting in the tail in saying that we should have a go at the federal Treasurer, when really it is not his area at all. It is all to do with the National Competition Council. We know where this whole thing started; it was the first Keating federal Labor government that brought in the National Competition policy. The principles that we are using are the principles espoused then, and we are still trying to sort our way through them. I am happy to put on the record my concern again with the National Competition policy, and I think that it should be reviewed.

I think that it is one of those things that, at a certain point in time, became very trendy and we looked at these things. I am the first to admit that some of the National Competition policies have given Australians benefits in some areas, but in areas like this it is going to cause a lot of angst and it is going to destroy one of the few advantages that Australian primary producers have. We all know that Australian primary producers do not have government subsidy in any way at all. They trade on their own and they are trading against people in every other country who have government support, particularly the Americans and the European Common Market. They have huge government subsidies and we give our farmers nothing. They choose to sell collectively. Surely we are not going to say to them, 'No. We are going to pull this away. You get on your own. Not only on your own for

the sake of government, but on your own in relation to marketing against your business competitors.' It is a holy cow.

There are people who want to break down this single desk. We know who they are. It is the traders because they want to get in the middle. We saw this morning at this conference that the grain growers are getting 19 per cent of the grain dollar. Where is the rest going? It is going to the traders and everybody else in the middle. We are trying to get a figure more like 30 per cent which would be more reasonable and acceptable, and you do it by keeping the marketing through an orderly marketing system via the single desk, remembering of course that we have deregulated our domestic market. Anybody can trade in the domestic market so no Australian is disadvantaged by this act. On the overseas market we choose to market collectively via the single desk. I urge the house to support the amendment of the member for Goyder and to insert after 'payments' the words 'and calls on the state Labor government not to abolish the single desk and to become far more proactive in arguing the case for its retention to the National Competition Council.'

In finishing, I hope that the member for Enfield will keep his enthusiasm up for the retention of this single desk and I hope that it is not about a political game. I hope after the federal election is gone he will be just as strong in his support of it as he is now. I urge the house to support the amendment.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): The amendment is just a stunt; the amendment is about stalling; the amendment is about not taking seriously that this state is going to be penalised by \$3 million: they are not my words. Anyone who has been following this debate could have easily read Wendy Craik's letter in the *Stock Journal*, in the *Financial Review*, who set out the matter quite clearly and far better than I will here. The amendment, you cannot support.

Mr RAU (Enfield): At last we come to the end of this debate, and I suppose everyone is relieved.

The SPEAKER: If the Hon. member for Enfield will permit me, I will now point out to the house that if the member speaks he closes the debate.

Mr RAU: We finally come to the end of this debate and I suppose that it is fitting that it happens at the end of the session, and the parliament is going to be prorogued. I would like to address some of the issues that have come up, because this has been percolating around the place for some time. I have been on about National Competition policy and, in particular, the extreme stupidity of the abolition move on the single desk, for many, many moons. In fact, I have been on about it, I think, since I was elected to this place. So, any suggestion by the member for Schubert that I have picked this up recently as some form of entertainment is nonsense.

The second very important thing to bear in mind is that the opposition is actually split on the primary question in this issue; the government is not. The opposition is the party which is split on this, because some people in the opposition actually believe that competition, of itself, unrestricted, unregulated and going hell for leather is a good thing, irrespective of the consequences. I must say in tribute to the member for Schubert that he is not one of them. The member for Schubert recognises, at least in relation to the primary question about this single desk, that there is such a thing as commonsense, and so does the member for Stuart. However, some of his colleagues, I am afraid, do not. We agree with the

honourable member, the member Stuart and those other members of the opposition who believe that the single desk should be kept.

We do not have an argument about that. The real argument is about the amendment moved by the member for Goyder, about which I would like to say something. I take the amendment as being a genuine, serious proposition from the member for Goyder. Unlike some of his colleagues, the member for Goyder is a forthright and honest person, and he is not the sort of chap who would lurk in the shadows and sneak up on another member with something. In fact, he has had this on the agenda for some time, and I pay tribute to him for that. But, unfortunately, the members for Goyder and Stuart are under the misapprehension that the federal Treasurer cannot, of his own discretion, strike out this penalty. The fact is that he can.

It does not matter how many times the member for Schubert repeats the incorrect assertion that the federal Treasurer has no discretion. Repeating a nonsense over and over again does not change the quality of the nonsense; it remains a nonsense. Once a nonsense always nonsense, and it remains a nonsense. The federal Treasurer actually has the discretion to allow commonsense to prevail, and to simply stop penalising the people of South Australia, and in particular the rural community, by persevering with this idiotic national competition policy.

Of course, what the opposition is tending to do—again, with the greatest respect to the member for Goyder—with his amendment is actually to blame the victim, and say 'Well, look, the people of South Australia, through their parliament who are being victimised by this idiocy, should bear all the consequences of it'. That is nonsense. This idiocy is being driven from Canberra, and it has been forever. In case you need to be reminded about it, your federal colleagues have been in government since 1996. They have been running this thing for the past eight years, so that is where the responsibility for this thing lies—with Canberra.

It is very interesting to see that the National Farmers Federation has finally got off its backside and started articulating publicly the sort of things that I have been saying here for the past couple of years. That is good, because it means that farming communities are starting to realise from their own representatives what nonsense is being peddled by the people whom they have elected to federal and state governments.

The options that lie ahead are very simple. This motion should be passed in its existing form, and the federal government should be encouraged to take notice of what the people think about this issue in the same way that they have taken notice about what the people think about nuclear dumps, and in the same way they have taken notice of what people think of refugees. The sooner that happens, the better.

I urge everybody to support the original resolution, which puts the blame fairly and squarely where should belong, namely, on the shoulders of the federal Treasurer. Let all of us agree on the fact that the single desk is a good idea, and that national competition policy is basically a lot of rubbish, particularly when applied in these doctrinaire fashions to things that are working perfectly well. Why we would be wanting—

The Hon. P.F. Conlon: It's not an ideology; it's a pathology.

Mr RAU: It is a pathology; indeed. Why we would want to benefit consumers in China, Saudi Arabia and Japan to the

cost of our farmers and farming communities is completely and utterly beyond me.

The SPEAKER: The question is that the motion be agreed to. Those of that opinion say aye, those—

Mr MEIER: I rise on a point of order. Should the amendment not be considered before the motion?

The SPEAKER: The honourable member makes a very good point, and I uphold the point of order.

The house divided on the amendment:

AYES (19)

- | | |
|--------------------|--------------------------|
| Brokenshire, R. L. | Brown, D. C. |
| Buckby, M. R. | Chapman, V. A. |
| Evans, I. F. | Goldsworthy, R. M. |
| Gunn, G. M. | Hamilton-Smith, M. L. J. |
| Hanna, K. | Kerin, R. G. |
| Kotz, D. C. | Matthew, W. A. |
| McFetridge, D. | Meier, E. J. (teller) |
| Penfold, E. M. | Redmond, I. M. |
| Scalzi, G. | Venning, I. H. |
| Williams, M. R. | |

NOES (24)

- | | |
|---------------------|--------------------|
| Atkinson, M. J. | Bedford, F. E. |
| Breuer, L. R. | Caica, P. |
| Ciccarello, V. | Conlon, P. F. |
| Foley, K. O. | Geraghty, R. K. |
| Hill, J. D. | Key, S. W. |
| Koutsantonis, T. | Lomax-Smith, J. D. |
| Maywald, K. A. | McEwen, R. J. |
| Rankine, J. M. | Rann, M. D. |
| Rau, J. R. (teller) | Snelling, J. J. |
| Stevens, L. | Such, R. B. |
| Thompson, M. G. | Weatherill, J. W. |
| White, P. L. | Wright, M. J. |

PAIR(S)

- | | |
|-------------|----------------|
| Hall, J. L. | O'Brien, M. F. |
|-------------|----------------|

Majority of 5 for the noes.

Amendment thus negatived; motion carried.

The SPEAKER: Before the opportunity for me to say something on the question that has just been passed leaves my grasp, I say to the house that yet again this illustrates the stability of the government. Even had I wanted to vote one way or another, as the member for Hammond, my vote on the matter would not have mattered a fig, or less.

My own view of the question is that the single desk should be assumed to be the marketing authority and that it should have its powers diminished to the extent that it is required to state what its cash payment would be for any grower wishing to sell on a given date; that the single desk should state what its minimum cash payment will be at least one month in advance of that date; and that it can amend in a shorter time than one month, and therefore increase the amount it would pay for deliveries on that said date. Having stated its minimum cash position, all growers and/or other agents seeking a sale, should they be able to get a contract for the sale of their grain accurately (and more accurately than has been the case in the past, in its description), should be able to do so at any higher price. This would ensure that the single desk would still retain an initiative in the marketplace, knowing that if it is most efficient in the delivery of the best price for that explicit description of grain it will get it.

It also provides, however, that growers and other interests can sell ahead of that date by signing a contract for a price to make the delivery at that time, thereby ensuring that the

single desk does as it has always claimed, namely, provide the best possible outcomes for growers in the process.

The other mechanism which should be available to growers and/or their advisers, or groups of growers who wish to cooperate with one another to aggregate their offerings of explicitly defined and described grain, is the use of a futures market, wherein they can take a position not only on the price of the grain explicitly described but also—sensibly, of course—on the currency exchange rate upon which the transaction's proceeds depend. They can, therefore, be certain of the income that they will receive, knowing that to make it even more certain they will need to ensure the transaction and factors associated with it. That is simply called futures trading. I thank the house for its attention.

CHAFFEY, MEMBER FOR

The Hon. M.D. RANN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The SPEAKER: The chair acknowledges the Premier. Whilst this is private members' time, it is the will of the house that the Premier be heard.

The Hon. M.D. RANN: Thank you, sir. I know this is extraordinary, but, as a courtesy to the house, I inform members that the member for Chaffey will be sworn in as a minister, a cabinet minister and a minister of the Crown tomorrow morning. I am delighted that she has accepted the offer to join the government as a cabinet minister. She will hold the portfolios of Minister for the River Murray, Minister for Regional Development, Minister for Small Business and Minister for Consumer Affairs.

A couple of years ago, we entered into a compact with the member for Hammond which was about not only stability for government but also, of course, honouring our regions. As I said on the day that I was sworn in, we wanted to be a government for all the people of this state and not only for those who voted for us, and I think we have demonstrated that. We followed on with the appointment of Robert Champion de Crespigny as the Chair of the Economic Development Board, and then, of course, the member for Mount Gambier was asked to join the government as a cabinet minister, retaining his independent status but again bringing rural and regional concerns to the cabinet table.

A couple of weeks ago, I signed the River Murray Agreement with the Prime Minister and other Premiers, and I also signed the national water initiative. This is a very important area for the future of our state, and there could be no more appropriate person to be Minister for the River Murray than the member for Chaffey, who represents the Riverland and who has demonstrated her expertise in this area. I congratulate her on her appointment tomorrow.

Honourable members: Hear, hear!

The SPEAKER: Order! I invite members to take a seat—anywhere! I will respond to that momentous announcement, as such a thing has not happened in this parliament, I think, for 35 years, and is probably, in the circumstances, without precedent in terms of what it means for inclusiveness and commitment to that inclusiveness. However, I can do mental arithmetic, and I know what the implications are: from this point forward, the government has a majority on the floor of the house in its own right.

I acknowledge the remarks made by the Premier about not only the compact but also his commitment to me on behalf of the Labor Party.

Members interjecting:

The SPEAKER: Order! The Minister for Infrastructure, or any other member, must not take the liberty of abusing any other member of parliament in the course of remarks they make formally or in a disorderly fashion. Just because an absolute majority of the whole number of members now resides in the government benches, my commitment will not alter to ensuring that the public's perception of the standards of our conduct in this chamber have improved and will continue to improve in the main. I thank honourable members for their commitment to that in the past.

If I did not do so before, I congratulate the member for Chaffey on her commitment to the obvious new arrangement that has been announced.

ARTS INDUSTRY COUNCIL

Adjourned debate on motion of Mr Hamilton-Smith:

That this house—

(a) calls on the Premier as Minister for the Arts to respond to the campaign launched by the Arts Industry Council (SA) Incorporated during the 2004 Adelaide Fringe for the allocation of an extra \$2 million towards the commission and development of new work by South Australian artists.

(b) notes the council's concern that arts industry development programs have been reduced by \$1.24 million in the last two budgets; and

(c) supports the letter, media and email campaign conducted by the council alerting the South Australian public of the paucity of current arts funding.

(Continued from 1 July. Page 2668.)

Ms CICCARELLO (Norwood): I speak on behalf of the Rann Labor government, which has been a great supporter of the arts, in opposing this motion, because, since we came into government, we have certainly done a lot for the arts industry. I have a lot of contacts in various fields of the arts, and I was a little bemused when I heard the member for Waite. To digress, I congratulate him on his nuptials a week ago and wish him and his new wife, Stavroula, all the best. We see each other at many arts functions, which I know he enjoys as much as I do.

I will refer to some of the previous speakers. The member for Morphett incorrectly asserted that less funding is going to small to medium companies in this year's budget. I am advised that the budget for the arts industry development program, to which the small to medium sector applies for grant funding, has increased from \$2.9 million in the 2003-04 financial year to \$3.1 million in 2004-05.

I am also advised that this is in addition to one-off additional assistance of \$265 000 provided to the small to medium performing arts sector in late June 2004. The opposition continues to assert that arts funding is shrinking when in fact, as can be extracted from the 2004-05 portfolio statements, it has grown from \$85.028 million in 2003-04 (excluding capital items) to \$91.93 million in 2004-05. The member for Heysen also wrongly asserts that there has been a decrease in funding to the arts development program between 2003-04 and this year when in fact the small to medium arts sector receives inflation increases each year and there have been no cuts to grant programs for individual artists and projects from 2003-04 to 2004-05.

This government does not shy away from its decision to manage budgets responsibly and for the arts to have contributed toward whole-of-government savings strategies. The public purse is not a bottomless pit. This government continues a fine tradition of allocating more money to arts

and culture on a per capita basis than most other states. We have a creative community of artists and arts organisations, and we certainly punch well above our weight from a national perspective.

It remains a fact that the former Liberal government withheld inflation funding from many of our leading arts organisations for many years, and we have had to respond with special funding packages to ensure that those organisations can continue to remain viable. Whilst the previous government did a great job of funding extensions to the Art Gallery, the State Library and the SA Museum—I acknowledge that the State Library recently was given an award for its design, and the work of the former government is frequently acknowledged by this government—the former government never budgeted for these institutions to pay for the increased operating costs of larger spaces: cleaning, security, offsite storage for the library, increased water rates and power. All these organisations have budget shortfalls resulting from these operating costs which this government is addressing. We are about being a responsible government, and this is part of putting these organisations on a more sustainable footing.

I would just like to say that there are several organisations in my own electorate which have recently received funding. One of those is Knee High Puppets, and recently the Leigh Warren Dancers had their funding increased. Other local companies which have received funding increases are the Windmill Theatre; the ASO; the State Theatre for its new work, *Night Letters*; the State Opera for *Undertow*; and the Australian Dance Theatre for *HELD*. The South Australian Art Gallery has had a lot of visual arts programs supported with increased funding. WOMAdelaide is now an annual festival, and that has also been a great boon for the state.

So, Mr Speaker, our government is doing a lot to support the arts in South Australia. I bring to the attention of the house that the arts have been well supported. The 2004-05 arts budget has turned a corner, and we look forward to exciting outcomes in the years ahead.

Mr HAMILTON-SMITH (Waite): I am happy to close the debate. I thank all members for their contributions, particularly the member for Norwood and the member for Playford for having the decency to respond. I am a little disappointed that the Premier as the responsible minister or the minister assisting the Premier have not responded on behalf of the government, but I thank those two members for having done so.

The Rann Labor government takes the arts community for granted. In his first arts statement at the Festival Centre, the Premier told the arts community to grow up. I think that was the term he used. This government exhibits a condescending approach to the arts. There is the perception that, no matter what they do, the arts will vote Labor, anyway. It's stitched up; it's a done deal, so why do we need to inject any further funding into the arts. And, indeed, there has not been any further funding for the arts. There has been a lot of smoke and mirrors and a lot of creative accounting, and reading the budget papers is a most interesting exercise.

I would have to say that, of all the government ministers whose portfolios I am responsible for following, the Premier is the most creative when it comes to accounting. This is a masterful piece of work. He has managed to make significant cuts to the arts in areas that are not immediately visible. For example, he has provided baseline funding to second-tier arts groups so that the doors can remain open, the staff can be

hired, and the basic functions of life can continue to signal a heartbeat, but he has managed to take away funding from areas such as health promotion through the arts, grants to young artists and subsidies to arts groups in ways that are not immediately visible. In last year's budget he cut \$3.8 million over four years in grants and subsidies to artists. He cleverly removed that significant amount of money from the arts budget in ways that are not immediately apparent. For instance, where 100 artists may have got a grant or a subsidy in the year before, now, when only 50 get a grant or a subsidy, it is not as though they have lost their funding: it is simply that new allocations have not been made. So, no-one is saying that they have been stripped of funding; there is simply some unknown applicant who did not get the nod for a particular grant or subsidy.

It is all very creative. I commend the Premier for his cleverness. In a way, he has managed to take the knife to the arts whilst minimising the pain. He has not completely deadened the pain, because he lost his CEO, Kathie Massey, who, as I understand it from industry sources, left in a state of complete disappointment with the way in which the budget had been cut. There have been significant cuts to Arts SA and, as I said, to Living Health promotions funding and grants and subsidies for artists.

This motion which I put on behalf of the Arts Industry Council's initiative demonstrates that point. They were calling for \$2 million to be put back into grants for small artists, and I think we have had some success. I think their campaign has been successful because the Premier announced that in relation to the \$3.8 million that he cut the year before, \$75 000 would be put back. Of course, there is a \$3.1 million shortfall, but in this clever accounting that is not immediately apparent.

The arts industry and arts stakeholders had good reason to hope that there would be some reward for the arts in the election of a Rann Labor government. It has been bitterly disappointed: it is more of the same. In the last year of the Liberal government (2000-01), we put \$47.4 million into this crucial area of arts industry development and access artistic product. In this budget (2004-05), the Premier is spending \$43.4 million, that is \$4 million less on the things that matter. That is the bottom line. You can smoke and mirror it up by showing extra money to bail out *The Ring* and the Festival Centre and make it look as though you are spending more, but the reality is that less is being spent where it counts. To argue, as the government does that, at a time when it is taking in record windfalls in revenues (nearly half a billion dollars in extra revenue), somehow times are tough, there needs to be greater efficiency and the arts community needs to take cuts is total nonsense.

The government is awash with money. The government has inherited excellent financial times. The government should be in a position to further nurture and develop the arts, and it is not doing it. It was the former government under minister Diana Laidlaw who rebuilt the institutions of North Terrace. The hard work has been done. This government has the cash and is in a position to do more now for individual artists. It is not. In the overall terms of the budget, we are well behind where we were four years ago. That situation needs to be rectified. I urge the arts industry to continue to shoulder and to continue to argue its case—the squeaky wheel will be oiled.

Time expired.

Motion negatived.

SENSATIONAL ADELAIDE INTERNATIONAL POLICE TATTOO

Adjourned debate on motion of Mr Brokenshire:

That this house congratulates the South Australian Police, event organisers and volunteers on arranging the 2003 Police Tattoo, known as the Sensational Adelaide International Police Tattoo.

(Continued from 25 March. Page 1679.)

Mrs GERAGHTY (Torrens): I will speak very briefly to the motion. I point out that the Sensational Adelaide International Police Tattoo is believed to be the only tattoo of its type in the world, and it was managed and coordinated by SAPOL with the support of Australian Major Events. I understand that, continuing on from the inaugural tattoo in 2001, which some 23 000 people attended, in September 2003, it was attended by some 20 000 odd people. Six performances were held, including a full dress rehearsal. International guests were the bands of the Irish Guards, the Royal Brunei Police Force Band, Umbrian Flag Wavers, the Fiji Police Force Band and a small contingent from New Zealand. All Australian state and territory police were also represented.

The band of the South Australian Police, South Australian Mounted Operations Unit and the Tea Tree Gully Redbacks Youth Band (of which people from the north-eastern area will be very well aware and very proud), the Callisthenics Association of South Australia and the Combined Pipes and Drums of Adelaide featured in this year's tattoo. An edited version of the tattoo was broadcast on Channel 7 Adelaide on Sunday the 19th, which, I understand, had a huge viewing audience. I understand there were about 750 cast, crew, contractors and volunteers involved in the tattoo, and it was supported by 69 volunteers who donated a staggering 8 500 hours to the event. The Sensational Adelaide International Police Tattoo continues to enhance the pride and enthusiasm of the South Australian Police by attracting community support and great confidence. I commend the motion to the house.

Motion carried.

CONDOLENCE MOTIONS

Adjourned debate on motion of Hon. I.F. Evans:

That for the remainder of the session—

- (a) Condolence motions relating to former members of the current parliament may be moved immediately after prayers; and
- (b) other condolence motions shall be moved after questions without notice and before grievances, unless the house determines otherwise.

(Continued from 19 February. Page 1288.)

Mr MEIER (Goyder): This motion is something on which I assume both the government and the opposition would have a conscience vote. Certainly I recognise why the member for Davenport has moved this motion. There have been occasions perhaps when we have been dealing with a condolence motion immediately after prayers—I remember at least three—and I have thought that perhaps these can be dealt with later in the day rather than first up. I personally believe that perhaps it is something that we need to consider very carefully. I am of the further belief that we should recognise persons while they are alive. It is all very well to go to their funeral or even to say what you want in their condolence motion, but if you did not treat the person well

while they were alive or did not do the right thing then, well it is a little late once they are dead. But at the same time, in virtually all these cases people have been members of this house, and I think the least we can do is to show them the maximum respect. On so many occasions, many of us have not known the members who have passed away—and, again, names do not come to mind. In fact, I suspect that most of those who passed away this year I have known.

The Hon. M.J. Atkinson: Ones you haven't known—Reg Curren, the Labor member for Chaffey.

Mr MEIER: Yes, thank you. He was certainly before my time. I guess we have found that, generally speaking, members do not speak to those motions, other than the Premier and the leader and possibly the member representing that particular area. So be it. Whilst I recognise the good intentions of the member for Davenport, I have some problems about going down this track. Maybe it can be examined further in due course.

The SPEAKER: The member for Heysen.

Mrs REDMOND (Heysen): Thank you, Mr Speaker.

The SPEAKER: Order! I think the member for Playford—

Mr Snelling: It's all right, the member got up first. I will speak after.

The SPEAKER: The member for Heysen. I point out that the reason for my deference is that it is conventional that, if two members are seeking the call, it should go to a member from the other side of the chamber to that side from which the member last speaking made remarks.

Mrs REDMOND: I appreciate that, Mr Speaker. Thank you for giving me the call in those circumstances. In fact, I am taking an opposite view to that taken by the member for Goyder, in any event. I rise to support the motion. I believe that the member for Davenport has moved this motion for very good reason, and that primarily concerns what happens in this house every afternoon—

The Hon. M.J. Atkinson: 'Primarily'—get the emphasis correct.

Mrs REDMOND: Primarily—

The Hon. M.J. Atkinson: 'Primarily'. The member is pronouncing it in the American way.

Mrs REDMOND: Mr Speaker, I beg for your protection from the interruptions of the Attorney-General.

The SPEAKER: I understand. I invite the Attorney to please resist the temptation to make contentious remarks and offer gratuitously assistance to others about pronunciation.

Mrs REDMOND: Gratuitous—unwarranted.

The SPEAKER: That is what the word means. It is as irrelevant as saying that the name of the place is Uralia (U-R-A-Liar) when it is really Uralia (U really R).

Mrs REDMOND: Thank you, Mr Speaker. I will not take up much of the house's time. I simply want to say that this motion is brought because, on a number of occasions since I have been here, we have had condolence motions that have taken up a great deal of the house's time, to the effect that we then do not have the cameras present when question time begins. That, I believe, is the real—

The Hon. M.J. Atkinson: Now we're getting closer to it.

Mrs REDMOND: That is right. I believe that the Labor government does it quite deliberately. It will not support this motion because it does not want the cameras here at certain times, so it is more than happy to have the condolence motions proceeding. I have always found the condolence motions quite interesting because often—indeed, in virtually

all cases—I have not even known the person, and I have found it quite interesting to hear about their life, the contribution they made in this place and how they are remembered. In fact, I think a lot of the condolence motions show us at our best, as members of parliament. But I think it is appropriate to move those behind question time. To have the public waiting here to see question time and have the whole thing delayed for sometimes 1½ hours strikes me as not an appropriate thing. There is no reason why a condolence motion could not sit comfortably behind question time so those who have come to view question time can view it and still keep to their own timetables. Our condolence motions could proceed when the house is, in any event, a little quieter.

Mr SNELLING (Playford): Finally, we get to the heart of it—an admission by the member for Heysen that what this is really about is television cameras being around for question time. I thank the member for Heysen for finally informing the house what this motion is really about. This house does not exist to serve television cameras. We do things—

The Hon. I.F. Evans interjecting:

Mr SNELLING: The member for Davenport can scoff, but it remains the case that television cameras come into this chamber as a courtesy that is extended to them. They do not have an inherent right to film in this chamber and, certainly, the house does not arrange its business to suit the convenience of the television cameras.

I oppose this motion. I think that it is a great tradition of the house to extend to deceased former members the courtesy of having an obituary as the first item of business of the day. I think it is a reminder of Edmund Burke's notion that society is a partnership of generations past, present and those yet to be born. I am rather surprised that members opposite should be so willing to abandon that notion. Finally, it is a great comfort to me that one day, hopefully a fair time in the future, members will be scratching their head trying to work out who Jack Snelling was. That is of great comfort to me. I oppose the motion.

The Hon. M.J. ATKINSON (Attorney-General): It was Lord Cobbold who said, 'All ceremonial is ridiculous unless perfect.' I think that it is appropriate that obituaries for deceased members of the house should be amongst the first items of business on any given day. I think that it is demeaning to former members of the house who have departed to join the great majority, to shuffle them down the Notice Paper somewhere before or after the six, five minute grievances. I think that our respect for them ought to entitle their obituary debate to occur as one of the first items of the parliamentary day. It is true, as the member for Heysen says, that some of the departed will be people who are not remembered by many, if any, members of the house. Nevertheless, there are not many members or former members of the House of Assembly and as they depart this life they should be recorded by a respectful obituary before question time starts. The nub of the motion for the opposition is that they want the television cameras in here for their questions. They think that their questions are so deserving of media attention that they do not want them delayed by a dignified obituary for deceased members of the house. It is a pretty rum attitude from the opposition. It detracts from the dignity of the house.

The member for Heysen accuses the current government of doing it conspiratorially to delay the television cameras so that they might return to their studios without covering the insightful opposition questions. The truth of the matter is, if

the member for Heysen had taken the trouble to check, that it has always been the practice of the house, and it occurred during the eight years of the previous Liberal government and, indeed, if her accusation can be levelled against us it can also be levelled against the Brown and Olsen government. Consistent with her habitual lack of fairness, the member for Heysen levelled the accusation only against the current short-lived government. I am vehemently opposed to this motion—

Mrs Redmond: Ve-hermently!

The Hon. M.J. ATKINSON: Eliza Dolittle over there ought to stick to her pronunciation. You are welcome to help me and I will continue to try to help you.

Mr RAU (Enfield): I also occasionally put the emphasis on the wrong syllable and in this case, perhaps, I will do the same thing. I would like to join with my colleague the member for Playford in making the point that this should not be a circus for the media, and whether it meets with their convenience or not quite frankly does not particularly perturb me.

Motion negatived.

The SPEAKER: Can I tell the house my own view of the matter—if the honourable minister wishes to leave he is at liberty to do so; it is as the member for Hammond. My own belief is that, along with some other things, indeed a good many other things about sessional orders, standing orders in particular, which could be tried on a sessional basis, some change to the way in which the proceedings of parliament are recorded would resolve this matter without it needing to be a dispute between those with contending opinions about the way things have been in the past. The record of the parliament in the written form is taken by Hansard.

Equally, the record of the proceedings of parliament in the audio and video form ought to be taken by Hansard. The chamber should install at least three, and I would suggest five, cameras, controlled by a person employed by Hansard, such as the one that presently switches on and off our microphones, to, as it were, video the proceedings of parliament, according to the same kinds of guidelines as apply to the written record. That record, as it was being taken, could be put on the internet, so that in real time the broadcast of the proceedings of the parliament could be seen by the public in a manner in which all members of the house would be confident. It would be done without fear or favour, or benefit or disbenefit, to any honourable member.

That has not happened. That creates tensions. It is not possible for the television camera crews recording and seeking to report on the proceedings of parliament to stay here beyond a certain time each day. Yet the process which I am suggesting, that would cost a minimal amount of money, by comparison to what it has cost other parliaments which have already done it, would enable the television broadcasting channels to download what parts of the proceedings they wish to put to air without them having to be present. That does not mean that they would be excluded. It simply means that they would not have to be present to get the clips they sought.

The further remark I would make in that regard is that all honourable members would then find that unfavourable reflection upon something which happened would be less likely to occur, since it would be impossible for them to then impute improper motives to anyone photographing or videoing proceedings or events or circumstances or individuals in the parliament, in the house, whilst it is in session in

ways which were arguably malicious, and thereby enable everybody to benefit. The sooner that small amount of money—it is a few hundred thousand, and not millions as it has cost other parliaments—is spent on the process the better for all of us. I thank the house for its attention.

ENERGY WHITE PAPER

Mr RAU (Enfield): I move:

That this house congratulates the member for Flinders on joining this government's condemnation of the Federal Government's Energy White Paper released on 15 June.

This is an important issue for the parliament to consider. I am very pleased that in considering this issue and addressing it we can also pay a tribute to the member for Flinders who has actually said some very positive things about it. With all due respect to her, the main focus of the issue is not her, it is the issue. She just gave us an opportunity to talk about it, and I wish to make nothing more of her contribution than that, and I do not wish to embarrass her in any way.

The first question we have is: what is the problem? The problem, it seems to me, is that there is an issue of global warming. There are sceptics around the place who say that there is no such thing but, then again, there are people who say the world is flat, and there are some people who think that Neil Armstrong did not go to the moon 35 years ago. I guess there is room for all opinions. From what I have read, the majority of people seem to be of the view that the greenhouse gas emissions that are being pumped into the atmosphere by all the countries on this planet are causing a change in our climate. I think all of us have our own life experience to harken back to, questions about what the weather was like years ago compared to what it is like now. There is the flooding and the storms, and we have been watching on television bits of New Zealand falling down hills in the last couple of days. Apparently, these things were not common phenomena recently.

It appears that the science is basically on the side of those who say there is an issue about greenhouse gas emissions and that there is some linkage between greenhouse gas emissions and global warming. Taking that first important step, that is, that science tells us something about the nature of the problem, it is important for us to then assume for the moment that that is correct, and that the people who believe the world is flat and so on are not right, and to consider what this means particularly for South Australia.

My understanding is that there have been reports prepared by the CSRIO and the South Australian government which canvass possible issues for the future based on predicted changes in climate. To give an example of the severity of these problems, I indicate to the house that it is predicted by the CSRIO that average temperatures in the northern part of South Australia, which is probably largely the member for Stuart's patch, may increase by up to 2 per cent by the year 2030 and up to 6 per cent by the year 2070. Two and 6 per cent do not sound like a great deal but, as members would probably be aware, even modest percentage changes in average temperature have profound effects on the climate, on the sea levels around the place, on the ice shelves that occupy Antarctica and on the currents. The El Nino effect, for example, involves the current that moves around the Pacific Ocean. All of these things are, to one degree or another, affected by questions of global temperature.

Temperatures in the south of the state, which is where most of the population resides, are tipped to rise by up to 4.4

per cent on average by the year 2070. Obviously, that is not going to mean that every day is going to be 4.4 per cent hotter, but it is going to mean that on average after a year there will be an increase in the overall temperature. This will also bring with it rainfall which will tend to decrease throughout the state, with drought becoming more frequent. The intensity of storms around coastal areas is also forecast to increase. You do not need to ponder those two propositions for very long before you are left with very important implications for our economy and the way in which we live. The member for Stuart and the other rural members who have farmers dependent on rainfall are going to have severe issues to deal with if rainfall diminishes. Those who live in the city, for example, my colleague the member for Colton, whose electorate spans an area of the metropolitan beach, which has already has a very fragile coastal environment, are obviously going to have to deal with very serious problems if there are severe storms, particularly, in winter. But I will leave that to him if he wishes to speak on the matter.

The question really is: what are we doing as a country and as a state to try to take some productive steps to deal with these problems? In South Australia there is no doubt that the process of the generation of electricity through the burning of fossil fuels is one of the major contributors to the output of greenhouse gases in this state. I do not pretend for a minute that if South Australia closed down tomorrow the world's greenhouse problems would disappear. Of course they would not. But if everybody, including South Australia, takes the view that we do nothing, then that nothing is going to happen anywhere. I very much aware, of course, that countries such as China, where the economy is moving forward and their consumption of these materials is increasing dramatically, are obviously going to be moving into the equation as greater contributors. It does underline the fact that this is not simply a situation where all of us can ignore it and expect that it will not come back to bite us one way or another, or our descendants in the future.

It is in this context that I think we have to examine the federal government's recent initiatives in relation to energy. I do not stand up here to say that everything the federal government has put in that energy policy is nonsense. Of course, even the silliest person occasionally gets things right, and I do not suggest that everything they have suggested is wrong. However, there are a couple of elements of the federal government's policy that do concern me, one of them being that there is no concession at all to the serious implications of Australia's export economy being based almost entirely upon raw materials which are in fact fossil fuels: coal, oil, gas, and so forth. Indeed, there are aspects of the commonwealth's policy which will aggravate the present problems by basically encouraging export of these materials to places where they will be burned by other people and by not taking the importance of alternative energy sources seriously enough (and this is the importance of the member for Flinders, and what could be done in her electorate). That is really the core of this.

We are actually in a very fortunate position in South Australia by accident, because some years ago the people of South Australia started paying a high premium for their energy—and it will get worse and worse as a result of decisions made by the former government. The only silver lining to that very large cloud is that it means that this state government does not have any internal commitment to the infrastructure associated with the generation of power in its

present form—we do not have an investment in generators, we do not have investment in power lines.

Whilst I would prefer not to see the situation that we presently have, we must make the best of it, and possibly one good thing that we can say about it is that in South Australia, at least, we should be piloting every form of alternative energy available. The incentive given by the ridiculous power prices we have should, perhaps, make this place a focal point for the development of alternative energies: solar power, wind power, tidal power, thermal power from hot rocks, and all that sort of thing are all options which we can and should be exploring.

I think it is important that we take on board the fact that we should be doing these things. We could actually be creating industries here which provide export opportunities; we could be providing cleaner power supplies in South Australia; and, more importantly, we could be creating jobs and opportunities if we are able to develop these opportunities to the point where we can export them—as countries like Denmark, for example, which is a tiny place, is able to do.

That brings me to the question about wind power which was addressed by the member for Flinders. The fact is that part and parcel of any energy policy should and must be an increase in renewable energy targets, because renewable energy is where the future must lie. The big disappointment I have in relation to the federal government's policy is that when they were putting out the map for a number of years for people who are investing in energy industries, and so forth, they had a great opportunity to say, 'We are going to lift the renewable energy requirements, which will give an encouragement to people to get into solar, wind and other alternative energy sources.' But they did not: instead, they gave a reduction in the expenditure associated with some fossil fuels, in particular, diesel. I appreciate that people in primary production and elsewhere have to use diesel, but to actually encourage more use of that particular energy form rather than taking the money and putting it somewhere where it can be more productive and give us a future is, I think, very short-sighted.

I think that in one of our many coastal electorates (the member for Flinders has one, as do others such as the member for Finnis) we should be exploring the question of wind power. At the moment there are threshold costs to be overcome, but if we do not have renewable energy targets or if we do not have some form of positive, serious incentive for these industries to move on and we continue to make diesel fuel, for example, even cheaper than it is now, what hope is there of our actually moving forward and developing these alternative energy sources?

I think it is an important debate for us to have. I appreciate that the South Australian economy and the South Australia industry will not, in the scheme of things, make a great deal of difference of itself. However, we are in a position to be able to provide some sort of model for others who may care to follow; we are in a good position to be able to do that. We have a lot of people who are interested in alternative energy sources here and interested in developing them, and I am very disappointed that the federal government's policy—which, obviously, does have its positive aspects—sadly falls down on this point about providing proper incentives for renewable energy. I join with the member for Flinders and all the others in South Australia—and there are many of them—who expressed disappointment not that the whole policy was hopeless but that the particular lack of attention to renewable energy development shows that for a number of years to

come investment decisions in this country are going to be based on old technology—old ideas about what is appropriate. None of those things are going to address the very important greenhouse problems that we have. I urge members to support the motion.

The Hon. W.A. MATTHEW (Bright): I rise to speak to this motion, and in doing so I move an amendment thereto, as follows:

That all words after 'Flinders' be deleted and replaced with the words 'her demonstrated commitment to renewable energy'.

The motion would therefore read, 'That this house congratulates the member for Flinders on her demonstrated commitment to renewable energy.'

As a Minister for Energy for two years in the previous government, I know better than many of my colleagues just how strongly committed my colleague, the member for Flinders, is to renewable energy. I do not believe there is any greater commitment in the South Australian parliament than that demonstrated by the member for Flinders during her entire time in this parliament as, indeed, a champion of renewable energy in this state.

The member for Flinders has made many contributions to this parliament and repeatedly lobbied ministers of both the previous Liberal government and the current government about wind energy, solar energy, hot rocks, and about opportunities of blending renewable energy to also solve another problem on the West Coast, that is, shortage of water. On many occasions, the member for Flinders put to me, as minister, and put to this chamber, various proposals to use renewable energy as also an opportunity for desalination and the creation of greater water resources in that area. As the member for Flinders has so often reminded this chamber, despite the obvious and economic prosperity of the area she represents (and I add that it is an economic prosperity that has increased significantly since the time when the member for Flinders was elected to parliament, and I believe there is an obvious one-to-one comparison that can be drawn from that), it is limited only by the availability of energy and fresh, clean water. For that reason, as well as for many other worthwhile reasons, the member for Flinders continues to champion the cause for this state inside and outside this parliament. Indeed, it gives me great pleasure to speak to this amendment as one that is worthy in acknowledging the significant contribution the member for Flinders has made and continues to make as she pushes forward with these very important issues.

It is also worth mentioning that the initial intent of the motion as moved focuses on comments made by the member for Flinders after the federal government policy and white paper were released. It is fair to say that the Liberal Party enjoys a freedom envied by members of the Labor Party, and that freedom is the ability to appraise any policy initiative critically, be it a federal or state initiative. On this side of the house, we have the freedom to speak publicly and to appraise critically. Often such critical appraisal results in changes to policy initiatives and directions. We argue that that is an important and robust part of the democratic process and one that is expected by Australians. Contrast that with the way in which policy setting occurs in the Labor Party, namely, it is the domain of Labor Party conferences. Policy is often set on the basis of factional, union-backed deals done in various conferences, and they are locked in. Labor members are locked in, and they cannot appraise a policy critically. On this side of the house, however, that is possible.

Ms Thompson: Well, at least we know what we stand for.

The Hon. W.A. MATTHEW: The member for Reynell interjects that that at least they know what they stand for. The Liberal Party knows well what it stands for: freedom of association, freedom of speech, freedom of choice and freedom of the individual—precious freedoms not enjoyed by the Labor Party, because, once they are locked into a factional backroom deal, freedom of choice, speech and association go. Those freedoms distinguish the Labor Party from the Liberal Party, and we have the ability to speak our mind. There is something about which members opposite would like to speak today, but, again, the limitation of their freedom of choice will not allow them to do so. A picture paints a thousand words, and the look on the faces of the members for Reynell and Wright was indeed a picture that painted a thousand words. It was a very glum picture and one which gave those of us on this side of the house some joy.

As is her right, the member for Flinders has exercised the freedoms provided by the Liberal Party—her freedom of speech, her freedom of choice and her opportunity to appraise policy critically—and I commend her for doing so. She spoke consistently and strongly on these issues, as she has since the day she was elected to this place and, I am told by locals, since before she was elected and even before she became a political candidate. The member for Flinders is consistent, passionate and informed about the subject. From speaking to industry in this area, I know just how a high regard in which she is held. Therefore, I encourage and implore members of the house to support the amendment, for it very accurately reflects the sentiment behind the actions of the member for Flinders in speaking out publicly and sensibly yet again on this issue, and I argue that it takes the silly politics out of it.

I know that the member for Enfield is also passionate about this issue. I listened with interest to his words to the chamber, and I believe that he made a worthwhile contribution. I do not disagree with the challenges he has detailed to the house, and I do not disagree with him that it is important that those challenges are picked up by all sides of politics. Indeed, the words of the member for Enfield are very similar to those I used on many occasions in this chamber during my time as minister.

Only this morning, the member for Flinders, other members on this side of the house and I attended a very important early morning meeting with Petrotherm, which is one of the new hot rocks companies in South Australia. That company and Geodynamics are two of the leaders in hot rocks energy, which is the ability to draw heat from below the earth's surface at levels of about three kilometres and convert it into electricity. It is an exciting opportunity and one that originated within this parliament.

The Petroleum Act 2000 (which, in my role as minister for minerals and petroleum resources, I was pleased to take through the parliament) provides an opportunity for such companies to come about. It may be that it will be seven to 10 years before that new opportunity becomes available, but it is one that is important for the federal government to get behind. I hope sincerely that the federal parliament will recognise this hot rocks opportunity and will do so with federal funding assistance to ensure that this technology becomes a possibility. In the same way, the federal government (through the MRET scheme) has got behind wind energy. It is fair to say that there would be no wind energy in South Australia today if it were not for the existence of the MRET scheme, because the MRET scheme has ensured that

a margin of profit can be made. So, those federal initiatives have made it possible for alternatives to be found.

The photovoltaic scheme, which is federally funded, was administered by the previous Liberal government and continues to be administered by the present state Labor government—or should I say the National-Labor-Independent government. Those are important federal initiatives, and I hope that members of the present government are reminded of the amount of federal money that is being put into renewable energy alternatives in South Australia. That does not mean to say that the federal government has got it right or that it cannot put in any more money. I believe it can, and I believe that is what the member for Enfield was attempting to put forward.

I close my remarks by again commending my colleague the member for Flinders for the way in which she has championed the cause for this industry, and I urge all members to support the amendment and in so doing recognise the efforts of the member for Flinders.

Ms THOMPSON (Reynell): I, too, wish to support the original motion. The important point about the original motion is that the Prime Minister's energy white paper is so weak that not even thinking members of his own party can support it.

Mr Scalzi interjecting:

Ms THOMPSON: The member for Hartley thinks that is a little harsh. Obviously, he has not read the Prime Minister's energy white paper or any decent reports about it, otherwise he would know, too, that the Prime Minister's white paper is more about subsidising some of his mates than it is about finding a solution to the energy issues facing this state, this nation and this world. His refusal again and again to sign the Kyoto Protocol is simply an embarrassment to this nation. That is just one of a string of international policies that are seriously embarrassing in this nation, including locking up children in refugee camps. This Prime Minister is bringing down the credibility of this nation among thinking nations and thinking people all over the world.

Today, we have had the issue of the vote on the West Bank. That is another example of this Prime Minister bringing down the credibility of this nation. What we need with an energy policy is a committed informed minister like our current minister who—instead of coming up with the first thing that he thinks might get a headline, as did the previous minister for energy (the member for Bright)—is working together with a committed, informed minister for the environment to find solutions.

Also today, we have heard the great announcement that the minister for the environment will have his workload slightly lightened. He has had a huge workload. No longer will he have to work on the details of the River Murray scheme after the historic work that he has done to achieve that agreement. So, again we will have a committed, informed dedicated minister working on the issues of the environment together with the Minister for Energy in endeavouring to come up with decent solutions to energy renewal. They will show, as will the federal Labor Party platform of the time, that this is a ridiculous approach demonstrated by the Prime Minister's white paper. I urge all members to stick to the original motion which, as I said, indicates that the Prime Minister's approach is so weak that not even thinking members and dedicated environmentalists in his own party can support it.

Mr CAICA (Colton): I rise to speak briefly to the motion. Like the member for Enfield, I am not going to enter into any specific discussion about the member for Flinders except to say that she is one of the outstanding members of this house, someone for whom I have a great deal of time, and I know that she is committed to renewable energy.

One of the things that was mentioned by way of interjection across the chamber is that science is divided on greenhouse effects and global warming. As has been pointed out, science was divided for a long time on whether the world was flat. I am sure that the cigarette companies in the world could still be able to draw out scientists who would say that there is no harm in smoking cigarettes. So, of course science is divided, and often that division comes from the specific interest groups for whom those scientists work.

I find this a very interesting subject, one which is of the utmost importance to the future well-being of our planet. Yesterday, I asked a question of the minister for the environment specifically about climate change. What we need on this planet is a commitment to renewable energy sources. It is about sustainability, because the fact is that, if we are going to rely on fossil fuels, we will have a limited, short-term future. Where I believe the federal government is at fault is that it is not providing the necessary incentive for industry in particular and the community to change. Energy producers need to have the incentive to invest in renewable energy sources which in the long term will make a difference and have an impact on climate change.

The member for Schubert has a great interest in wine. Wine growers throughout the world at the cutting edge of their development are planting vines at a higher altitude than has ever been done in the past. They are looking at those vines 20, 30 to 40 years down the track in the context of climate change. So, there are industries adopting an approach to what they believe will be the impact of climate change, and the wine industry is one.

However, I would much prefer to think that they would like to leave their vines where they are on the plains than necessarily having to do that. There is climate change. Climate change will affect the future wellbeing of this planet and, indeed, will affect industry and the way in which we in Australia and throughout the world do things. Unfortunately, it would appear that too many governments either live for the electoral cycle to which they have been elected or they live from day-to-day. I think that the federal government's lack of commitment to introducing a program of incentive which allows industry to invest and explore renewable energy is an example of living for today and living within the electoral cycle and not planning for the future.

It is a global issue and it has to be dealt with globally, but we in Australia need to set an example and a standard so that we can engage not only the developing world but also the developed world in how it is that we think things should be done and, indeed, how we are playing our part by ensuring that we reduce the reliance on fossil fuels and the damage that is being caused to the environment by their use. We have to set the standard. We cannot toady to the US oil barons and the fossil fuel industry. We have to draw a line in the sand and say, 'This is how Australia will do things', and as part of the international community, we want to be part of the debate that encourages the rest of the world to adopt those things which, at this stage, we have not adopted but which we ought to be putting at the forefront.

Mr Howard said that what he wanted at either the last election or the election before was for the people of Australia

to be relaxed and comfortable. I guess the Australian population will determine at the next election (which hopefully will be soon) whether or not they have been relaxed and comfortable under the Howard federal government. I suggest that the lack of commitment to renewable energy by the Howard federal government is such that my great-grandchildren will not live on a comfortable and relaxed planet: they will live on a planet that is suffering from the dramatic effects of the inability of our generation to do something about what we know has to be done; that is, to ensure that our reliance on fossil fuels is replaced by a proper commitment to explore all possibilities of sustainable renewable energy sources.

I do not believe that anyone in this house would question the commitment of the member for Flinders. She has a right to critically appraise anything she wants. It is clear that she has a commitment to renewable energy. What I did find interesting was that the member for Bright, who happens to be the shadow minister for matters relating to energy, spent eight minutes of his speech talking about other issues rather than renewable energy. We actually enjoyed the last three minutes of his speech which focused on the thrust of what this motion ought to be about, that is, renewable energy targets and issues such as this. It was a little disappointing to hear seven minutes of what was superfluous stuff as opposed to his advocating more intently and passionately about the portfolio for which he is the shadow minister. This is an extremely important issue and I urge the house to support the motion.

Mrs PENFOLD (Flinders): I rise to support the amendment and I thank the member for Bright for his kind words. The original motion by the member for Enfield is totally inaccurate and certainly improperly reflects my opinion. However, it does give me the opportunity to speak about one of my favourite subjects. I am delighted that I can now expect that the Labor government will support some things on which I have had my heart set for the past 10 years.

First, I am expecting that by next September (when we sit again) the Labor government will announce that it will have a 5 per cent renewable energy target for this state—and perhaps it can convince some of the other Labor governments that they might do so as well—because, unless this is just words, it has the opportunity to do just that. It can set a 5 per cent renewable energy target and that would certainly bring investment to South Australia.

In addition, I am expecting that there will be no more of this nonsense talk about putting a line between South Australia and New South Wales to bring in that dirty coal-fired power (which is causing such a problem to the environment) and encouraging them to develop that further. Help instead to put that regulated line on Eyre Peninsula so we can have a link into the grid and put the wind power energy from Eyre Peninsula into the grid to supply over 1 500 megawatts of power. That is about 20 per cent of the state's power. It could all come from Eyre Peninsula. All I need is the commitment from this state government to get behind it and put in that regulated line, or not even a regulated line, just a line. It has just spent \$64 million on subsidising gas for the people on the gas line from Moomba.

Obviously that \$64 million will not do anything for renewable energy but, if it had been put into renewable energy on Eyre Peninsula, it would have put that line in and it would have released 1 500 megawatts of renewable energy from wind turbines and started a whole massive new industry

for South Australia. Perhaps we would not have lost the blade manufacturing to Victoria, which, I understand, will now be at Portland. We had a very good chance of getting it in South Australia. A report by Deloitte Touche Tohmatsu says that, if we could have got the wind power going quickly in South Australia, it would have meant \$4 billion for the economy of South Australia. That means that this Labor government has turned its back on \$4 billion worth of development and real jobs, which would have meant that people would not have to be on the dole or unemployed—that is, \$4 billion of employment activity.

One of the areas where it is most needed is Whyalla. I visited the Whyalla Fabrications and Structural Engineering Company only a few weeks ago and, in anticipation, it had already bought steel rolling and cutting equipment ready to make the towers. However, because there has not been a commitment by the state government, equipment is standing idle. They could make the towers for the whole of South Australia, just as we could have made the blades.

Instead, that equipment is idle and Portland is going to get blade manufacturing. They are already making the towers in Portland. We could have been doing that in Whyalla, a Labor stronghold which badly needs new employment in a state which needs to raise the level of employment and, of course, it would do so much for renewable energy and cutting greenhouse gases. Unless the Labor government puts its money where its mouth is and does something practical and something positive, I suggest that it had better be quiet.

With respect to the federal government's white paper, I have been thrilled that the MRET target of 2 per cent was put in place, otherwise none of this would have happened. When I started speaking about wind power 10 years ago this was not in place and not much was happening. I can remember going to the state electricity company then, and one of the people there told me, 'Liz we have a wind turbine at Coober Pedy and it doesn't work', in other words, 'Go away, you silly little girl. This is never going to happen.' But once the federal government came on board and started showing an interest in cutting greenhouse gases it did begin to happen and we were able to get the first of the wind power companies, Babcock and Brown, to come and look at Eyre Peninsula.

Since then, we have had the first company build its towers and the energy is going into the grid. And, on Eyre Peninsula Hydro Tasmania is just starting its foundations to put another 33 towers there, and about 60 megawatts of power on Eyre Peninsula. But, as I said, 60 megawatts is nothing compared with the 1 500 megawatts that I could have on Eyre Peninsula. That would mean that I would have the triangulation of the power on Eyre Peninsula, which would back up existing industry we have. At the moment, there is a very old 132 kV line running down the east coast of Eyre Peninsula, which is about 30 to 40 years old and which badly needs an upgrade. If we could do that, we would be able to put in the new powerlines that are necessary—one along the west coast and one along the east coast—and take out wind energy. That would mean we would have adequate wind power to start developing other resources such as iron ore, gold and diamonds, and we would be able, as I have mentioned before, to desalinate enough water to start using the *terra rossa* soils that are right across the region.

People do not realise that we have to have something like that or we will lose our hospitals and our schools on Eyre Peninsula. There are 10 hospitals and 72 education facilities and, unless we have more development in the region, there will not be enough people to warrant these schools and

hospitals. Because the area is so big, it will mean that there will be fewer people because there will be fewer jobs. So, I am asking that that investment be made.

I think that we could easily double the population on Eyre Peninsula from 22 000 to 44 000 voters. I would then have half the area to cover, and it would mean that the Premier would be able to start looking at possibly fulfilling his commitment to have the export industries triple in 10 years. He is certainly not going to do that unless there is this kind of support in infrastructure.

I am thrilled with the federal white paper, because it is giving funding for things like \$20 million to the development of systems to hold renewable energy. I have recently had a look at the vanadium battery on King Island. The vanadium battery will take out the fluctuations in power that is found in wind energy because the wind, as they keep telling me, does not blow all the time. But I am a lot more interested in what is called the graphite block energy storage system, especially as I happen to have one of the biggest graphite mines in the world, south of Port Lincoln. If that could be used to make these graphite blocks we could sell them around the world, and I would have another huge world-class green industry exporting from Port Lincoln, where we have the deepest natural deep water harbour. These graphite block energy storage systems, I think, may be able to hold enough energy not just to take out the fluctuations in the wind energy but also to hold it for peak power. At the moment, you can not hold wind energy for the periods of peaking power. To be able to put it into the grid when you want to would mean that the whole viability of using green energy from wind power would be changed and we would be able to use it all the time instead of people saying, 'Well, it's only reliable for part of the time.' The graphite block technology is a brand new invention. The first one is located at Cooma in New South Wales. I am hoping to get there to have a look at it and find out whether it really is going to be as good as it sounds.

So, before September, I am expecting a 5 per cent renewable energy target from the state government. I do not see that it has to be held to the federal government—or perhaps it does not think we need state governments. The state government could do it if it wanted to. I think it would be a huge attraction for wind energy. I am expecting that all talk of this interconnector between here and New South Wales and those dirty coal-fired power stations will be dropped. I am also expecting that there will be money (and I do not think that I even need as much as the \$64 million that was given to subsidise the gas industry; I think we could do it for less than that) to put the transmission lines around Eyre Peninsula, down the west side—a new one on the east would be nice—and put wind power into the grid. So, that would be 1 500 megawatts of power, 20 per cent of the state's power, coming from green energy. Perhaps the government could also help with the graphite block technology, which would mean that we could hold power for peaking, and then I think we would make a significant contribution to greenhouse gas abatement in this world.

Mrs GERAGHTY secured the adjournment of the debate.

ROADS, FUNDING

Mr VENNING (Schubert): I move:

That this house expresses concern at the condition of South Australian roads and condemns the state government for reducing

road funding to become one of the lowest per capita road expenditure states in Australia.

I recently returned from a four-day trip to the Far North of the state with five of my colleagues, where we saw first-hand the degradation of our state's road assets. South Australia, as we know, is one of the lowest funded states in Australia with respect to road funding. I saw first-hand the effect that sacking of a northern road gang by this government has had on the area, and it is not pretty. Seventeen road workers are no longer there. Consider what that does to the local community economics apart from that effort maintaining our roads. This government is not putting enough effort into our roads. This government has pulled the expenditure right back to almost nothing. In the Economic Development report, Robert Champion de Crespigny reported:

South Australia has the most underfunded road network in Australia and that investing in infrastructure is vital to South Australia's economic performance and productivity, lowers the cost of doing business and is an important contribution to economic growth.

We all know that. The state government takes a lot more notice of Mr Robert Champion de Crespigny, but why does it not take notice here? I note the budget submission prepared by the RAA and delivered to the Treasurer, and that highlights:

Road funding is an investment that returns measurable economic social and environmental road safety benefits.

The RAA also believes that the Treasurer is in a position to allow the government to reveal the breadth and depth of its vision for South Australia, and to develop a significant road infrastructure investment legacy through an announcement to fund the identified \$160 million road maintenance funding backlog. Keeping in mind the Treasurer's view that, 'Investment is the key to jobs, growth and prosperity in South Australia,' the RAA has identified how the Treasurer can deliver a modern and well maintained transport network that will overcome the current transport inefficiencies and invigorate economic development that will result in extremely positive flow-on effects in key portfolios, in health, welfare, emergency services and others, which obviously, of course, will be of benefit to our state for many decades.

I am concerned that the Treasurer did not take seriously the RAA's submission when he prepared and delivered the budget. By comparison to Western Australia who give \$63 million to local government for local roads, South Australia gives just \$800 000. It is by far the worst provider of road funding per capita and road kilometres. Earlier this year the Prime Minister announced that the federal government would give an extra \$26.25 million over three years for South Australian roads to help regional councils address their serious problems. South Australian councils have long had an issue with the formula used to calculate road funding, with interstate councils receiving proportionately higher amounts of funding than South Australian councils.

South Australia currently has 12 per cent of the nation's regional roads yet it receives only 5.5 per cent of the road funding. I understand that an inquiry is being undertaken at the federal level to review the current formula in relation to road funding, and I trust my federal colleagues will do the right thing by South Australia. Whilst we welcome the extra \$26.5 million from the federal government it would be even better for regional South Australians, tourists, and our export industries, if the Rann Labor government agreed to match these increases in funding to further assist rural and regional councils to maintain roads.

Instead of simply taking the \$16.6 million that the federal government provides to help the state government maintain South Australian portions of national highways, I urge the Premier and the Treasurer to match that figure and announce further increases to match those recently announced by the Prime Minister. We have a great road asset but it is being left to deteriorate due to the so many thousands of roads being neglected. We cannot allow our roads to be neglected. It is responsible planning to do so much every year of our upgrading and maintenance so that we do not slip behind. We know what happens if we let our assets slip behind. All of a sudden half our road infrastructure will need to be rebuilt and, of course, we just do not have the resources to that. It has often been said that some of our bitumen roads will have to be ploughed up and become dirt roads again. If we let it slip behind that is the only option we would have. If we do not upgrade and keep our roads up to scratch, at least keep our maintenance up to scratch, this is what will happen.

I am also very cross that the money that has been received as a result of speed cameras is not being spent on the roads. In fact, I believe that all money collected on roads should be spent on roads. That goes for not only revenue collected for traffic offences but also vehicle registrations and licensing. Priority roads need to be looked at again and reclassified. I do not think that it has been done for decades, and as the demographics change so do the use of the roads. Some roads which were minor roads decades ago are definitely main roads now and these roads should be given higher priority. It seems that as many of these roads are currently the responsibility of the local government they are being left to the local government to maintain and the state government does not seem to want to change that. Arterial and access roads need to be redefined.

In the 1950s, South Australia had the best roads in the country. They were established under the Playford regime. Now we have the worst. Most of the roads that we are driving on were designed 50 years ago. For example, the Tarlee to Yacka road is a disgrace for a main road, dangerous and windy. Money ought to be spent putting in some passing lanes, or at least rebuilding the road. I welcomed the budget announcement that \$8 million will be spent on new overtaking lanes on the state's arterial roads until I realised that this was not a new announcement at all.

I congratulate the local governments for doing an excellent job with limited resources. Most councils maintain roads to the best of their budgetary capacity and some councils also have a sealing program in place. I note that the road between Nantawarra and Watchman, on the way to Balaklava, is being worked on by the Wakefield Regional Council, and I congratulate them for the fantastic job that they are doing on a very important and underrated road. That road is going to become another vital link. It was great to see that the Port Pirie District Council has also completed the road from Redhill to Koolunga, and now from Koolunga right through to Brinkworth, the last bit done by the Wakefield Regional Council. The local council has also bituminised the Brinkworth Road halfway to Blyth. It is now sealed all the way. That is brilliant, and good on them, I congratulate them. Work is being done by some local councils with some federal government funding. These are not in my electorate but we all drive on them.

A lot more work needs to be done, particularly on the east-west roads. Many of our bitumen roads now need rebuilding, redesigning, resurfacing, taking out some of the bends, and, where we must have curves as in the Clare Valley, we need

more passing lanes. It is the height of hypocrisy for the state government to say that we are being penalised by the federal government. The formula is working against us. It is this government that has cut the funding back to the bare bones; the lowest in Australia. Why should the federal government come along and fill the gap? Given the windfall the state has had since coming to office, we should be giving our roads a much higher priority; and that is the bottom line. The windfalls we know about are the GST repayments, speed camera revenue, licensing and stamp duty revenues. The list goes on and on.

Yes, minister, before you get up and whack the federal government, we do want the formula changed. We support that, but we want more from your government. In the past two years this government has reduced funding to roads by an estimated \$10 million. It has cut the Rural and Regional Roads Program. It has cut one Outback road gang, and that is a saving of a million. We now have a backlog of \$160 million in road maintenance. There is all this, despite raising \$2 million in speeding fines during the first three months of the introduction of the 50km speed limit. It is just not good enough. My constituents are affected by these cuts, as are all people who live in country South Australia. Unfortunately, the bad roads are just a way of life for them nowadays. It is pretty sad and it is just not good enough.

I call on the government to increase funding immediately to address this issue before our roads are in such a bad way we will not be able to afford to maintain them and, as I said, we will have to rip them up. I realise that during my speech I have said things that have been perhaps a little unfair on my federal colleagues, but I am totally serious and professional in my effort to get the roads upgraded. No matter which government's responsibility it is I will level my criticism. If the government is able to deliver the goods I will also pass on my congratulations. Minister, I commend you for being in the house. I look forward to your words; you are obviously going to speak. I commend this motion to the house.

The Hon. P.L. WHITE (Minister for Transport): In speaking to this motion, I first want to move an amendment to the motion. I move:

To amend the motion by deleting all words after 'condemns the' and insert 'Federal Government for inadequate road funding to this state to the extent that on a \$/km basis, SA continues to receive the poorest road funding from the commonwealth of any state/territory in the nation'.

The amended motion would therefore read:

That this house expresses concern at the condition of South Australian roads and condemns the federal government for inadequate road funding to this state, to the extent that on a dollar per kilometre basis South Australia continues to receive the poorest road funding from the commonwealth of any state or territory in the nation.

In speaking to the motion and the amendment I must say that I was a little surprised that the honourable member decided to go ahead with his motion given that the AusLink proposal from the federal government that came out on 7 June dealt this state the worst funding deal from the commonwealth that we have ever had in the history of this state.

I looked up all the funding contributions on our capital funding for the past 10 years, and in the next financial year we are going to get less than we have ever got in any of those years, in nominal terms—put aside real terms, but in nominal terms. So we are getting an extremely bad deal. We have been discriminated against. I am surprised that the honourable member went ahead with his motion, with the strength of the

feeling and the campaign that is running out there in South Australia, with the support of the state government, the RAA, the Freight Council, South Australia Road Transport Association (SARTA), CARS and other groups is immense. There are thousands and thousands—

An honourable member interjecting:

The Hon. P.L. WHITE: There are petitions out there. The RAA has distributed a postcard which, on the front, says:

Not happy with leftovers? Do your bit to make federal politicians come to the party and give South Australians a fairer slice of the transport funding cake. Register your disgust on the back of this postcard now!

On the back of the postcard it says:

For far too long SA has been treated like a poor cousin to the eastern states when it comes to federal transport funding. South Australians pay the same petrol tax as everyone else in this country but, per person, we are set to receive the lowest amount of AusLink transport funding.

At present SA will get about \$45 per person per year for the next five years from the federal government for roads and other transport projects—around half of what New South Wales and Queensland will get and two-thirds of what Victoria will get!

That is a direct quote from their campaign. I understand that within days it has had thousands and thousands of responses to that campaign. I have met personally with John Anderson on a couple of occasions, and Ian Campbell the roads minister—that has just changed, as there is a new roads minister as of last week. We have been impressing this upon them and we have been lobbying.

We have four federal cabinet ministers here in South Australia and yet we got the worst deal of anywhere. Under Auslink 85 per cent of the funding is going to the eastern seaboard for new road projects. Of the whole capital announcement from the federal government we are getting less than 3½ per cent of the federal funding cake. We have 15 per cent of the national highways here in South Australia, let alone our population approaching 8 per cent. We have 15 per cent of the national highways and yet we get less than 3½ per cent of the funds that the federal government is allocating to capital projects. That is really diddling South Australia, and South Australians are protesting loudly and clearly.

Instead of getting up here and trying to politically point score, which was the case with the honourable member's motion here, why isn't the state opposition joining the campaign of South Australians to get a better deal?

Members interjecting:

The Hon. P.L. WHITE: Instead of defending the federal government why aren't you arguing for a better case? I would say there is one Liberal member of federal parliament who has written back to me to say that she does believe that we deserve a better case, and that is Chris Gallus. I pay her full credit for that because the responses I have had from other federal members and ministers who have bothered to respond has been quite negative. If we have four senior cabinet ministers here in South Australia and they are not asking for a better funding deal then we have a problem.

I say to the state Liberal opposition that, instead of coming in here with inane state political attempts aimed at the state government, you should be getting on to your colleagues in the federal Liberal Party and saying, 'You must do better for South Australia.' This is an election year and so we have seen, for electoral purposes, funding going to the eastern seaboard. This negotiation on AusLink has been going on for over 18 months, and all along the process the federal government has been telling all states and territories that it will be a fair process and that it will be judged on freight

volumes and those sorts of issues. Well here we go: we see some of our highways not even included on the network—take the Riddoch Highway in the South-East, for example—yet the Calder Highway across the border in Victoria (where they need the votes), with a lower freight volume, is on the network.

There is a lot to complain about in the way that this federal government has treated South Australia in this latest carve up of the federal cake. We are not getting our fair share, and until members of the state opposition stop grandstanding in here and until they get out there and talk to their federal Liberal colleagues (and they are coming into town campaigning on other issues), I say that the most good the opposition can do is to get out there and make their federal colleagues understand that this is no good for South Australia. For a start, even if they did treat us fairly on the criteria that they said they were going to impose, South Australia is disadvantaged. South Australia has been systematically discriminated against when it comes to federal road funding over many years. It occurs at all sources of federal road funding from that provided directly to local councils, to the grants, the Roads to Recovery, the Roads of National Importance, and to funds allocated to maintaining and improving the national highway system within South Australia.

Our highways provide a stark example of the extent to which this funding discrimination occurs. Almost 15 per cent of the national highway network is in this state yet historically we have received 7.9 per cent of the maintenance funds and 7.6 per cent of the capital funding. In recent years that had dropped 5.4 per cent. Then along comes AusLink, and we are getting capital funding of under 3.5 per cent. How is that our fair share? That is the big bucks; that is what will make the big difference. When one compares—

Mr Venning interjecting:

The Hon. P.L. WHITE: You talk about discrimination: in New South Wales they receive 41 per cent of the national highways maintenance allocation but they only have 19 per cent of the highway network. We have 15 per cent, yet we get a paltry sum. It is not good enough. Our government has been lobbying the federal government. We have tried to make it easy for them to fund this, and we have been giving them all the support we can to turn this decision around or to make a good decision: we welcome their announcements, we will stand up there with them and shout their praises. But, quite frankly, we have been dealt a raw deal and my interests now are in fixing that. I hope that would be the interests of the state opposition as well because they are your colleagues, your federal Liberal cabinet ministers sitting in this state. We deserve better. We are going to be—

Mr Scalzi interjecting:

The Hon. P.L. WHITE: Yes, I have talked to Anderson. I went to Canberra to see Anderson before he put this out. The federal government can be under no illusion about how important this is to South Australia and the strength of South Australian feeling about the deal we have been dealt. They tell us that we are only going to receive \$19.6 million for capital funding in the next financial year, when every year for the last 10 years we have been receiving more than that, and then they come into this state and say that this is an improvement, and try to get away with that. People know; people are not stupid; they cannot be convinced.

The Hon. J.W. Weatherill: What a hide!

The Hon. P.L. WHITE: What a hide, indeed. So, take notice of the strength of feeling here in South Australia and I say to the Liberal opposition, do your part in convincing

your federal colleagues that they have to give us a better deal in South Australia. The South Australian government will welcome it and we will acknowledge a better deal for South Australia humbly and gratefully. What we will not do is sit back and say it is acceptable, for political purposes, for all the funding to basically go into the Eastern States because there is a federal election coming up. I say to the Liberal state opposition: take note of all the South Australians who are voters as well, get your skates on, approach your federal colleagues at whatever level you have power to, and say to them, 'Please, give us a better deal.'

Mr VENNING (Schubert): I want to thank the minister for her input. I agree with half of what she says, I really do, because if you read my speech I said exactly the same thing talking about the federal funding. But what about state funding? It is a two-edged sword. The minister says we are doing nothing, but I can assure her that we are doing all we can (not publicly) to make sure that the federal government comes the party. But what can we say to our federal colleagues when the state government has cut their funding to the level that they have? Lead by example, minister. You put the funding down and then criticised the federal government: you should not do it the other way round. You cannot criticise them for what you have done, yet that is what you have done. I absolutely agree, and you can be assured that we will do all we can, particularly in this period of time, to have this addressed because if we do not it will be with us forever.

I do not agree with your amendment and I urge the house to support the original motion, because the roads are one of the most important things of all in our state. We all have to drive on them; they are life-and-death; they are our quality of life; and all we are becoming an outcome. It is all very well for the minister to criticise the federal government, but what about this state government, what about its input, what about its priorities. Are you getting your fair share in cabinet? Obviously not. You need to get closer to the Treasurer. I look forward to the next budget, because, if it has not improved then, I think we will be in a very serious situation. I will be happy to look at the RAA's card and everything else that is around the place. I will be speaking to them and everybody else. We have to be outcome driven and, if we are not, we will be in a very sad state of affairs. I commend the original motion to the house.

The house divided on the amendment:

AYES (24)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K.
Hill, J. D.	Key, S. W.
Koutsantonis, T.	Lomax-Smith, J. D.
Maywald, K. A.	McEwen, R. J.
Rankine, J. M.	Rann, M. D.
Rau, J. R.	Snelling, J. J.
Stevens, L.	Such, R. B.
Thompson, M. G.	Weatherill, J. W.
White, P. L. (teller)	Wright, M. J.

NOES (16)

Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Chapman, V. A.
Evans, I. F.	Goldsworthy, R. M.
Gunn, G. M.	Hamilton-Smith, M. L. J.
Kotz, D. C.	Matthew, W. A.
McFetridge, D.	Meier, E. J.

NOES (cont.)

Penfold, E. M.	Redmond, I. M.
Scalzi, G.	Venning, I. H. (teller)

PAIR(S)

O'Brien, M. F.	Hall, J. L.
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Majority of 8 for the ayes.

Amendment thus carried; motion as amended carried.

The Hon. DEAN BROWN: I rise on a point of order, Mr Speaker. I refer to the division. Quite independently, both the member for MacKillop and I walked straight out of our offices to the lift. We waited for it to come up. We then came down and, even before it had reached the ground floor, the bells had stopped ringing. I stress the fact that I did not delay and that I went straight to the lift as soon as the bells started ringing. I question whether the bells rang for three minutes, and I think the member for MacKillop feels the same way. Certainly, I am concerned. I know that the lift had gone to the basement and that we had to wait for the lift to come up.

The Hon. M.D. RANN: I believe that the deputy leader is right and that the time seemed short. In fact, the door was nearly closed on me, and I thought I had about a minute left.

The SPEAKER: I accept the explanation given by the deputy leader. It will be placed on the record accordingly.

Mr BRINDAL: Mr Speaker, I say to the house that I, too—

The SPEAKER: And the member for Unley.

Mr BRINDAL: Thank you, sir. With reference to the previous division, I spoke to the officers because I was in a similar position in relation to that division. I really think that, as well as there being a problem with the time, there is something wrong with the lift. I am referring to the back lift.

The SPEAKER: I undertake to the house to have the lift examined yet again. We know that it is faulty. The trouble with this building is that it is geriatric and there are not enough funds.

Mr HANNA: On a point of order, Mr Speaker, I bring to the attention of the building services division the fact that I do not believe the bells for that division in Old Parliament House rang for five minutes.

The SPEAKER: They ring for three minutes. I will also have those bells checked.

PARLIAMENT HOUSE, HERITAGE LISTING

The Hon. G.M. GUNN (Stuart): I seek leave to move Other Motions/Notices of Motion/No. 14 on the *Notice Paper* in an amended form.

Leave granted.

The Hon. G.M. GUNN: I move:

That this house notes the Speaker's statement of 19 July 2004 and supports those remarks that any listing of the Parliament House precinct and buildings by the Australian Heritage Council on the National Heritage Register is conditional upon the federal government and its agencies:

Acknowledging and accepting the sovereignty and privileges held for the people of this state by the members of the South Australian parliament who, from time to time, exercise, on behalf of the people, responsibilities arising from that sovereignty and those privileges from time to time; and that a message be sent to the Legislative Council this day respectfully requesting its concurrence in the foregoing statement of the House of Assembly so that this resolution of the Parliament of South Australia can be sent to the Australian Heritage Council prior to the proposed listing by it tomorrow.

Mr Speaker, you rightfully pointed out to the house the difficult situation that you and your officers were placed in by the unfortunate actions of those responsible for national

heritage who I believe unwittingly endeavoured to exercise authority without going through the appropriate processes and extending their courtesies to the legitimate managers of this institution.

I wish to make only a brief speech because of time constraints. However, I think it is terribly important that this parliament continue to exercise its sovereignty on behalf of the people of this state and that no-one have the authority to enter this building without the authority of the presiding officers, and they should not have any authority which could in any way influence, interfere with or prevent members of parliament from going about their legitimate business. This is a very serious matter, because individual members of parliament must be free from threat, intimidation or outside influences in the discharge of their duties. I commend my amended motion to the house, and I thank the Speaker for bringing this matter to our attention.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the honourable member for this motion, which the government is happy to accept in its amended form. It concurs with our views about the need to have appropriate heritage protection whilst at the same time recognising the rights and privileges of members of this place. I think this is a good compromise, and I am happy to accept it on behalf of the government.

Motion carried.

SITTINGS AND BUSINESS

The SPEAKER: I have to inform the house that in the last few minutes the President has been alerted—and I suspect my office may also have been alerted—to the fact that some armed men have ostensibly been seen in the precincts of North Terrace, presumably in circumstances which put this building at risk. The doors have been locked. Members will need to bear that in mind during the lunch break. I trust that no-one will suffer any great inconvenience that would otherwise have occurred had some misadventure arisen through the lack of a prudent response. I thank the President of the Legislative Council for his prompt attention to the advice given to him which enabled us to secure the building.

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

LAND TRANSPORT NETWORK

A petition signed by 411 residents of South Australia, requesting the house to urge the government to support the Premier in his efforts to have the federal government increase to our fair share, South Australia's allocation of funds for building and maintaining our land transport network, including regional South Australia, was presented by the Hon. P.L. White.

Petition received.

SEXUAL ABUSE

A petition signed by 77 residents of South Australia, requesting the house to urge the government to take action to establish an independent inquiry to fully investigate and report upon all allegations of sexual abuse of wards of the state and others in institutional care, was presented by Ms Chapman.

Petition received.

QUESTIONS ON NOTICE

The SPEAKER: I direct that the written answers to questions, as detailed in the schedule I now table, be distributed and printed in *Hansard*: Nos 369, 414, 418, 429, 489 and 492.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

National Wine Centre of Australia for the period ended 21 August 2003

By the Minister for Energy (Hon. P.F. Conlon)—

Environment, Resources and Development Committee Report—The Development of Wind Farms in SA—The South Australian Government Response

By the Minister for Environment and Conservation (Hon. J.D. Hill)—

South East Catchment Water Management Board 2003

By the Minister for Employment, Training and Further Education (Hon. S.W. Key)—

University of South Australia 2003

University of South Australia Financial Statements 2003.

PAROLE REFUSALS

The Hon. M.D. RANN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: Parole Board recommendations for the conditional release of convicted murderers James David Watson and Allan Charles Ellis were this morning rejected by Her Excellency the Governor in Executive Council on the advice of the government. This is the third time that parole has been refused for Watson, who accosted a 14 year old girl in August 1985, forcing her into a drain where he undressed the girl, brutally assaulted and attempted to rape her before strangling the teenager to death and leaving her body in a concrete stormwater pipe.

Watson had consumed three to four bottles of beer and a bottle of whisky and ingested cocaine that afternoon; and autopsy findings indicated that the girl had various injuries consistent with blows to the jaw and face, as well as the banging of her head on a hard surface. Watson was sentenced to life imprisonment on 6 May 1986 for the murder. His non-parole period of 16 years, four months and seven days expired in January 2002, and Her Excellency the Governor in Executive Council declined to approve his conditional release in April 2002 and again in December that year.

Today marks the second time that parole has been refused for Ellis, who murdered a 17 year old Aboriginal youth near Port Augusta in December 1984. Ellis bashed him with a brass rod, and while the victim was lying helpless on the ground Ellis stood there aiding and abetting Stefan George Paul Niewdach, who reversed a car over him and then drove forward over him. Certainly the member for Stuart knows about this terrible crime in his own community.

The pair then left the scene of their cowardly and cruel attack. Ellis and Niewdach had been drinking alcohol and smoking marijuana when they had gone for a drive to the outskirts of Port Augusta. It was then that they saw the victim, who accepted a lift in the car. Ellis's role in the murder was not uncovered until some years later. In November 1992 Ellis was sentenced to life imprisonment. His non-

parole period of 11 years, seven months and 14 days expired in January 2003. Niewdach is not eligible for parole until 2007.

When deciding to recommend to Her Excellency that the Parole Board's recommendation be rejected, cabinet carefully considered all the circumstances in both cases, including the gravity of the original offences. Our main concern is always that of the public interest and the rights of victims and their families. That is why the government is moving to enshrine this in legislation as a key consideration for deciding parole matters. That is why we want the rights of victims and the rights of victims' families and community safety to be part of the parole laws in this state in a much more overt form, and that is why we also want to end for all time the automatic release on parole of any sex offender. These and other reforms to the Parole Board are currently before parliament, and I hope that we will soon see them in law once the upper house has dealt with them.

ROAD TRAFFIC (DRUG TESTING) AMENDMENT BILL

The Hon. P.L. WHITE (Minister for Transport): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: Yesterday in debate on the Road Traffic (Drug Testing) Amendment Bill, in response to an interjection from the member for Schubert, I said, 'We have bought some machines to test the technology.' I should more accurately have said, 'We are in the process of buying some machines to test the technology.'

LOCAL GOVERNMENT ELECTIONS

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.J. McEWEN: When I tabled the Electoral Commissioner's report on the 2003 South Australian local government elections in December last year, I indicated that there would be a review of matters relating to local government representation and elections. An initial stage of the review has involved the Local Government Association consulting with councils about the preferred time of year for periodic elections for councils and various minor and technical issues raised by the Electoral Commissioner, who is the returning officer for council elections.

There is a practical reason why we are looking at the time of year for local government elections. Parliamentary elections will be held in March 2006, and the periodic elections for councils are due to be held in May 2006, with the voter rolls for those elections closing in February 2006. This would have placed enormous pressure on the Electoral Commissioner. The Local Government Association has advised me that the preferred time of year for future periodic elections for councils is in the spring. This timing would allow newly elected council members to contribute to the council's budget process for the following financial year.

A broader stage of the review is now commencing which will explore more fundamental issues in the system of local government. The review will, importantly, be led by the Local Government Association. It will involve discussion and consultation with councils and the wider community to identify opportunities for changes to legislation that would

further develop the representative basis of local government as a separate, independent sphere of government.

The topics being covered in this stage include, firstly, the frequency of council periodic elections, or in other words the length of council members' term in office, and the longer-term patterns for the timing of council periodic elections in relation to parliamentary elections; secondly, the options available for councils' representative structure; thirdly, voting entitlements; and, fourthly, how participation and voter turnout can be increased. The local government sector recognises the importance of maximising voter participation.

At this stage we will also deal with some concerns raised by some councils and voters about candidacy, casual vacancies and election campaigning. Some of these topics will be of particular interest to honourable members who have raised such issues in this place. Both the Local Government Association and I will make a series of information papers available to councils, members of parliament and interested groups and individuals, and I already have done so to the shadow minister.

The SPEAKER: Order! The gallery's security officers will clear the gallery of the still photographer. The rules are clearly known to all members of the press gallery: nobody will be photographed, other than the member on their feet.

The Hon. R.J. McEWEN: We will be encouraging members of the committee to make submissions or attend information and discussion sessions. Councils have also been encouraged to promote participation and review in their communities. I will be working with the Local Government Association to encourage public participation, and I am sure that honourable members will do likewise. The Local Government Association will provide the state government with a collective local government sector review in October 2004 on the options for reform. This review is an important opportunity for local government to take greater responsibility for its own development as a sphere of government, by examining the case for and against various reforms for itself, and taking into account submissions from the wider community when it forms its views about desirable options for reform. I encourage members to participate in the review by making submissions to the LGA.

PUBLISHING COMMITTEE

The SPEAKER: Reports of committees. I call the member for West Torrens.

Members interjecting:

Mr KOUTSANTONIS (West Torrens): Everyone gets a prize!

The SPEAKER: Order! The honourable the Treasurer knows how important the Publishing Committee is!

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order, the Minister for Infrastructure!

Mr KOUTSANTONIS: I bring up the Publishing Committee's report for the third session.

Report received and adopted.

QUESTION TIME

SEXUAL ASSAULT, MYER CENTRE

Mr BROKENSHIRE (Mawson): When was the Minister for Police first made aware of the sexual assault of a young boy that took place in the Myer Centre on Monday 21 June at 8.30 a.m.?

The Hon. K.O. FOLEY (Minister for Police): The first that I was aware of it, from memory, was when I read about it in the paper. I am not aware of a specific briefing coming to my office on that matter, but it may have done. Bear in mind that I have been away, both at ministerial councils and on leave for a couple of weeks in the last four weeks. I do not recollect seeing a minute on it, and it would be unlikely that the Commissioner would necessarily provide a briefing to me on that matter, but I will check that. The first conversation that I had with the Commissioner was at about 11.45 this morning. I would have had it earlier but we were somewhat involved in some other matters. I had a discussion with the Commissioner about the article that appeared in *The Advertiser*. I yet again congratulate *The Advertiser* for scrutinising matters of public policy, and assisting the opposition in having a question in question time.

HOSPITALS, QUEEN ELIZABETH

Mr CAICA (Colton): My question is to the Minister for Health. How will services to the public be improved by the recently completed upgrade of the emergency department of the Queen Elizabeth Hospital?

The Hon. L. STEVENS (Minister for Health): I certainly thank the member for Colton for his question, and acknowledge his tireless support of the Queen Elizabeth Hospital. The upgrade of the Queen Elizabeth Hospital's emergency department means that the hospital can now provide even better treatment and services for people presenting to the emergency department, as well as improving the working environment for its staff.

An honourable member interjecting:

The Hon. L. STEVENS: Sir, I seek your protection so that I can answer the question, and I suggest the Deputy Leader listen. There are now larger and more efficient triage and reception areas which allow the staff to have a direct view of patients in the waiting area, so that a nurse can quickly assess if someone needs really urgent attention. Security has been approved by installing a state-of-the-art electronic ID card swipe system for staff, and facilities for security staff have also been improved.

There are extra triage bed waiting areas, new waiting room toilets and a dedicated area for ambulance and emergency service personnel. During 2002-03, more than 32 000 people presented to the Queen Elizabeth Hospital's emergency department. From these presentations, nearly 11 000 people were admitted to the hospital. This means that the Queen Elizabeth Hospital has the fourth busiest emergency department in the metropolitan area, and it will be further upgraded as part of the government's \$120 million rebuild of the Queen Elizabeth Hospital funded in this year's budget and now being designed. The government is delivering on its promise to rebuild the Queen Elizabeth Hospital and provide first-class services for people living in the western suburbs of Adelaide.

STRATHMONT BASHING

Mrs REDMOND (Heysen): My question is to the Minister for Families and Communities. Has the minister received any advice on the ongoing medical status of the person bashed at Strathmont on 5 July?

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I thank the honourable member for her question. The latest advice I received (I cannot recall when)

is that the person remains in a critical condition, and that is a very regrettable situation. I do not have any very recent advice about the circumstances of the medical condition of that person.

EDUCATION AND TRAINING

Mrs GERAGHTY (Torrens): My question is to the Minister for Education and Children's Services. In the electorate of Torrens, how is the government helping students who are most in need of assistance to reconnect with schooling and training?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Torrens for her question. This is an area to which she has been deeply and personally committed. There is a series of programs for which she has lobbied tirelessly to achieve funding during the past few years. As a government, we are particularly interested in engaging all those young people in school or training, particularly those people who are the most disadvantaged.

I recently announced a \$12.9 million strategy called 'Engage with Education', which plans to target young people most at risk between the ages of five and 18 of dropping out of school. One such program is in the member's electorate of Torrens. It is a highly successful Twilight Program at Windsor Gardens Vocational College. I am pleased to announce that it will be expanded this year through an additional \$100 000 grant from the state government.

I say particularly that this program would not have been enhanced or recognised to the extent it has been without the member's attention and advocacy, because this Twilight Program is a significant one that can make an important difference to young people in her electorate. The Twilight Program provides senior secondary education for young people over 15 who have been expelled or are about to be expelled, or who are returning after a significant absence from school. Many of these young people, in addition to their difficulties in school, have significant and substantial personal issues that impact on their capacity to engage in training or education. The Twilight Program, in particular, is effective because it tailors a program for each individual and provides them with personal support over the issues and matters that most concern them.

The school itself starts at 3.30 p.m. in the afternoon and runs for two hours on four days a week. The program forms partnerships with Centrelink, mental health services, the police, youth services, and community groups and centres as well as other educational programs. It is especially pleasing that the Twilight Program can now be expanded, and will allow visits by program project officers to the sorts of places where young people loiter and hang out in order to recruit them specifically to this program so that they can be re-engaged with their education. Also of significance is the follow up support they will be given, because when they finish their individually tailored programs they will still have help and support to give them pathways into jobs and further training. The Twilight School at Windsor Gardens Vocational College and a number of other community based programs for young people who are disengaged or at risk will share in \$1.89 million to support and expand their services.

This government is particularly proud of this program because it targets those most at risk, those who have not been supported in the past, and gives them hope to help them into

school, into training, or into work. I am very proud of this, and thank the member for Torrens for her advocacy.

HOSPITALS, CLEANING SERVICES

The Hon. DEAN BROWN (Deputy Leader of the Opposition): My question is to the Minister for Health. Why did the government instruct Spotless Services to provide services to the Women's and Children's Hospital on a month by month basis throughout the whole of 2003-04, which allowed the company to charge \$700 000 more for the year than the previous contract price? The contract of Spotless Services finished in January 2003. The department instructed the hospital to simply continue receiving the services on a month by month basis but at a \$700 000 additional cost, which has been one of the two factors which has led to the Women's and Children's Hospital having a \$2.7 million debt for the 2003-04 year.

The Hon. L. STEVENS (Minister for Health): In relation to the cleaning contracts across the health system, the government has been looking at it as a general issue over the past 12 months or so.

An honourable member: You are always looking at it.

The Hon. L. STEVENS: Absolutely. We have had a lot of issues to look at in terms of the health system—a lot of rebuilding and a lot of fixing in a whole range of issues. There has been some work in relation to cleaning contracts in general, the outcomes, and whether that is the best way to go. As a result of that, cleaning contracts have been extended to allow that process to occur. In relation to the detail of the question, I will need to get a report for the house and I will endeavour to do that as soon as possible.

PUBLIC TRANSPORT, DRIVERS

Ms CICCARELLO (Norwood): My question is to the Minister for Transport. How does the government deal with public transport bus, train and tram drivers suspected of being affected by drugs or alcohol?

The Hon. P.L. WHITE (Minister for Transport): In answering a question about public transport, I should acknowledge the honourable member for Norwood's strong advocacy for modes of transport other than the traditional private vehicle.

An honourable member interjecting:

The Hon. P.L. WHITE: Indeed. My department has a zero tolerance policy in relation to drugs and alcohol consumption for drivers of public transport vehicles. Any incursion into a driver's ability to perform their very highly responsible task for the community in the appropriate way is just not tolerated. The Passenger Transport Act 1994 contains regulations that very distinctly provide for a zero drug and alcohol tolerance. Contracts with each of the individual companies for the provision of public transport services ensure that they must comply with that act.

Each company has policies in relation to meeting the requirements of its contract with the Office of Public Transport under my portfolio. In fact, the policy held by TransAdelaide is audited by random checks which take place throughout the organisation continually and to which all members of the organisation are subjected—not just the drivers of the trains. Any employee who has had any alcohol or drug is suspended immediately. The Office of Public Transport also provides for its own inspectorate staff to perform ad hoc inspections, either on public transport

vehicles or at passenger locations at stations and bus stops, etc.

Recently, in an estimates committee the member for Mawson raised an allegation, namely, that he had been told by a constituent that a bus driver, or drivers, was or were using a prohibited substance outside a major sporting venue. My department investigated that allegation. All contracted bus companies were contacted, and none had had such an allegation brought to its attention or received any complaints to that effect. However, I urge any member who believes that they might have information to report it to the appropriate authority so that an investigation can and will take place, and action will be taken.

I am advised that, in the last financial year, there were no reported cases of public transport drivers being under the influence of alcohol, or any other prohibited substance. I assure the house that this policy is one the government takes extremely seriously. The government policy is clear: there is no place for illegal drugs or alcohol in the public transport workplace.

SCHOOLS, INTERNATIONAL STUDENTS

Mr HANNA (Mitchell): My question is to the Minister for Education and Children's Services. With the implementation of the government's demand that our secondary schools increase the number of international students enrolled, will the minister guarantee that in no secondary school will members of the local Australian community be excluded because of the push for increased international student enrolment?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Mitchell for his question regarding the apparent conflict between placing overseas international full fee-paying students with local students. There is a degree of angst in some parts of the community about the impact of international students on locally born non-fee-paying students. This issue first arose with tertiary education in the university sector, but, of course, in that sector HECS places are quarantined and quite specific, so there is no question that there could be any impact by overseas students on HECS non-full-fee-paying places.

In terms of schools, currently fewer than 1 000 international students are enrolled within our public school system throughout the primary and secondary years. Of course, the majority of those young people are in the secondary years. Traditionally, those students wanted to go to the international schools, which are renowned for having an internationalised or baccalaureate course. However, increasingly they are being spread to country schools in regional areas with the view being that it is better not to ghetto-ise (if you like) the number of international students at each school but have small numbers of students so that they gain a more authentic experience of life in an Australian educational institution.

In terms of rights and competition in schools, I have not heard of students being precluded from a school because of international students. I have never before heard this allegation. Schools that have low enrolments have called for international students in order to bolster their standing. I understand that Woodville is one of those high schools. It is a fabulous high school with a very proud record of high achievement in its alumni, and I understand that, in order to support the number of services and the curricula available in this very attractive and high-quality school which has had

some very special teachers, they have called for more overseas students. I am happy to look into any such allegation and seek out any information, and I will get back to the honourable member.

Ms CHAPMAN (Bragg): Given the minister's answer and her indication that she is not aware of that being the case, will she immediately look at zoned schools, which include the Marryatville High School, the international baccalaureate school of Norwood Morialta and the Brighton High School, all of which are zoned, all of which have international students, and all of which have waiting lists of local students who want to attend these schools but who are currently precluded?

The Hon. J.D. LOMAX-SMITH: The honourable member's supplementary question reiterates a perfectly decently worded question from the member for Mitchell. I do not think there is any need to answer the question twice.

VOCATIONAL TRAINING

Ms THOMPSON (Reynell): My question is to the Minister for Employment, Training and Further Education. What action has the government taken to protect the interests of apprentices and trainees?

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I thank the member for Reynell for her question and acknowledge her support for and interest in apprenticeships and traineeships, in particular. We are continually looking at ways in which we can improve our training systems. A year ago, the Office of the Training Advocate was established, and there is a high demand for its services. South Australia is one of only two states—we share this appointment with Queensland—to give people an opportunity in the vocational training system to access independent advice and also provide an avenue for resolving complaints. Other states are keen to follow our lead and develop a similar role.

Our Training Advocate has helped over 1 200 South Australians in the vocational training system over the past year. We believe that South Australia's training system is crucial in developing a skilled work force and that, therefore, it is important in developing employment and career prospects for our young people. The training system is large and complex, with over 167 000 students and hundreds of private and public providers offering a wide range of courses across the state. As part of this, more than 32 000 apprentices and trainees have different contractual arrangements. We believe it is important that all parties concerned are well informed about their rights and obligations. It can be daunting for young people or certainly anyone trying to negotiate their way in this complex mix and make right decisions for the future.

The Training Advocate will ensure that people engaged in training understand their options and are given responsible advice when they need it. Brochures, posters and postcards are now being distributed to apprenticeship centres and registered training providers to help raise awareness of the ability of the advocate to assist people in the training system with queries or complaints. The Office of the Training Advocate primarily not only assists apprentices, trainees and vocational students but also provides advice to parents, guardians, the general public, employers, unions and registered training providers. Of the 1 200 plus inquiries so far received from the Office of the Training Advocate, over

900 requests for assistance or advice have been received about the training system, and just under 300 have been complaints.

The advocate gives prompt and personal attention to apprentices and trainees about their individual circumstances within the training systems and also acts as a referral or resolution point, complementing existing avenues of redress. Referrals to the Training Advocate came from state and commonwealth agencies such as Workplace Services, the Employee Ombudsman, the Office of Consumer and Business Affairs and the commonwealth Department of Employment and Workplace Relations. I take this opportunity to express my thanks to Ms Therese O'Leary, the Training Advocate, who was appointed last year. She has had significant previous experience in managing vocational education and training policy at a state and national level. She also managed the adult community education sector in South Australia and is a deputy member of the Senior Secondary Assessment Board of South Australia.

Therese has a wealth of knowledge and skills in vocational education, mediation and advocacy. She is committed to young people coming through the education system and into the work force. She and her office have made a wonderful contribution to our training system. I think it is appropriate to acknowledge that this position is held in very high regard not only by the trainers who come under the public sector umbrella but also the private training providers.

TASTING AUSTRALIA

Mrs HALL (Morialta): Will the Minister for Tourism confirm that Jacobs Creek has withdrawn its sponsorship of the hugely successful and internationally important Tasting Australia event and, if so, why?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): Certainly the negotiations are protracted and difficult and, at the moment, I am not sure how the commercial in confidence issues relating to sponsorship are being organised. Before I give that information, I would like to check with the organisers. I will get back to the member for Morialta at the earliest convenience.

Mrs HALL: I have a supplementary question.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Waite is out of order!

Mrs HALL: Depending on what the minister comes back to the house with, will she assure the house that she will commit additional funding from the tourism budget to compensate for the loss of sponsorship dollars if, indeed, the withdrawal of Jacobs Creek proves to be accurate?

The Hon. J.D. LOMAX-SMITH: I am surprised at the question because this is a hypothetical one, and we could spend a considerable amount of time thinking about what we might do in circumstances if something occurred. Let us just remember that Tasting Australia is, what, 16 months away. It is a long time away, and I think that we ought to be in the world of reality and eventualities that are occurring at the moment and debate issues that are of significance today, not get into hypothetical debates.

ARCHITECTS ACT

The Hon. M.R. BUCKBY (Light): Will the Minister for Transport advise the house of the current status of the review

of the Architects Act? Will the minister advise whether all architects in South Australia will have the opportunity to have an input into the review of the act? I have received a copy of a letter to the Premier from 24 architects complaining about a lack of proper consultation during the review.

The Hon. P.L. WHITE (Minister for Transport): I will check on the progress of that. Recently I met with the architects' principal peak body—their association. They told me that they were very happy with the way in which the review had been going. I am surprised to hear that there is dissent. However, I will check on the progress of that and bring back a considered reply to the member.

GAMBLING CODES OF PRACTICE

Mr BROKENSHERE (Mawson): My question is to the Minister for Gambling. Will the minister explain why yesterday's gambling codes of practice hearing was abandoned at 1 p.m.? Industry stakeholders had two QCs in attendance, some people having flown from interstate for the event. Angry industry stakeholders have contacted us advising that they were disappointed that it was abandoned. This is the second public hearing in a row that the chair has not attended.

The Hon. M.J. WRIGHT (Minister for Gambling): I will obtain that detail for the member, but I do not think we should underestimate the significant role that the IGA has played and the good work that it has done. As a result of a very exhaustive process in which the IGA has been involved, we have had in place since April this year the codes of practice, which are mandatory—unlike some other states—along with a range of other things. This demonstrates how serious the Rann government is about problem gambling. The IGA is now moving on to the second stage, and it deserves to be acknowledged for that. I will obtain for the member the reason why that meeting broke up at lunch time, as alleged by the member. However, more significantly, the IGA has been extremely proactive with respect to problem gambling. It has done some fantastic work in terms of codes of practice, and I am sure that it will continue to do so.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Mawson is out of order and the minister should ignore his interjection. The member for Giles is gambling with something else.

JUSTICE DEPARTMENT CEO

Ms CHAPMAN (Bragg): My question is to the Attorney-General. To which short list was the Attorney-General referring yesterday when he told the house that the name Mr Mark Johns was on the short list of five candidates for the appointment of Chief Executive Officer of the Department of Justice? The opposition has been informed that there were, in fact, two short lists—one initial list which was sent to the Premier and did not result in an appointment and another which was later prepared. My question yesterday related to the initial short list and, accordingly, does the Attorney-General still maintain that Mr Johns' name was on the first list?

Members interjecting:

The DEPUTY SPEAKER: Order! The Minister for Infrastructure is out of order. The Attorney is out of order. When the house comes to order, hopefully, we will have an answer.

The Hon. M.J. ATKINSON (Attorney-General): Due process was followed to the letter with respect to the appointment of Mark Johns as the Chief Executive of the justice department. A committee was appointed to interview applicants and to look at their curriculum vitae and a short list of five was formulated. Mr Johns' name was on that short list. Subsequently there were interviews with three people, and Mr Johns was one of those three.

Ms CHAPMAN: Sir, I have a supplementary question. Were there written criteria for the appointment, and did one of those criteria include management experience?

The Hon. M.J. ATKINSON: I will obtain that information for the member for Bragg, but I would be staggered if the job specification for the Chief Executive of the justice department did not include management experience. Mr Johns was Assistant Crown Solicitor, managing a section of the Crown Solicitor's Office.

POLICE, HOLDEN HILL

The Hon. D.C. KOTZ (Newland): Will the Minister for Police explain to the house why there is a reduction in establishment strength of police numbers at Holden Hill from 330.5 full-time equivalents as at 30 April, to 291 full-time equivalents as at 31 May? On 1 June I asked the minister to explain the shortfall of 39.5 police numbers at Holden Hill. The minister replied in writing stating the shortfall was 27 full-time equivalents. However, the overall police numbers, classed as establishment numbers, according to the minister's answer, have been reduced by some 22.5 police officer positions, which would indicate an overall shortfall of 47.5 police officer positions at Holden Hill local service area.

The Hon. K.O. FOLEY (Minister for Police): I will ask the Police Commissioner for some advice and provide it to the member.

LAND TAX

Mrs HALL (Morialta): Has the Treasurer taken any further advice on potential impacts of a further 30 per cent increase in land tax receipts on the bed and breakfast tourism sector? During estimates the Treasurer said, 'I am still looking at that.' Since that time the owner of the award winning Myora Bed and Breakfast at Thorngate has been forced to put her family home on the market due to increases in land tax from \$2 639 in 1999 to more than \$7 000 this year.

The Hon. K.O. FOLEY (Treasurer): I have indicated to the member, as I have to the Minister for Tourism, that this is of concern to those in the tourism industry.

An honourable member interjecting:

The Hon. K.O. FOLEY: I will tell you why I have not done something about it because we chose to cut payroll tax to business. We chose to abolish a number of other taxes.

Mr Brokenshere interjecting:

The DEPUTY SPEAKER: Order, member for Mawson!

The Hon. K.O. FOLEY: Government is about difficult choices and hard decisions as we continue to demonstrate and as we look forward to ensuring that this state has good financial management. Good financial management underpins economic development and underpins progressive social policy in this state.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. K.O. FOLEY: One thing I have noted is that since our budget the government's standing in the community has remained strong. That says to me that what we are doing strikes an accord with the public. As long as what we do strikes an accord with the public then we can be satisfied that we are delivering good governance to the state. The member for Morialta asked that question with good intent. I have been looking at what we can do in the area of B&B. At this stage it is unlikely that we can, but I am not completely ruling it out, because, as I have said repeatedly, the problem is that once you exempt one category you then have consequences flowing on to others. I say to members opposite, 'Go your hardest.' If you want to cut land tax, do it, just tell us how you are going to pay for it, tell us what service you are going to cut, what tax you are going to raise, or whether you are going to blow the budget.

Members interjecting:

The DEPUTY SPEAKER: Order! We are getting very close to the holiday break. Some people may get an early start and be taking a holiday very soon. I call the member for Flinders.

SCHOOLS, CEDUNA AREA

Mrs PENFOLD (Flinders): Can the Minister for Education and Children's Services advise the house who has been selected as the successful tenderer for the redevelopment of the Ceduna Area School; did the tender comply with the government guidelines; or was the successful tenderer the only one considered?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): Can I commend the member for Flinders for her interest in public education. Such an interest is not always shown by opposition spokesperson. The matter that she raises is one that I imagine would have been properly carried through by the normal tender processes; but I am very happy to get that information back to her.

HOUSING TRUST LAND

The Hon. I.F. EVANS (Davenport): My question is to the Minister for Housing. Why does the criteria for assessing tenders for the purchase of land from the Housing Trust disadvantage local service industries? A local crash repairer has tendered for excess land from the Housing Trust. Even though the business's bid was the highest his bid was unsuccessful. The business has been advised that another tender, with a lower price, was accepted because they offered potential exports. Exports, I understand, are given a higher weighting under the assessment criteria for the tenders. My constituent has raised with me concerns that service industries such as crash repairers which cannot export are therefore at a permanent disadvantage when seeking to purchase government land.

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the honourable member for his question. It is a good question, and I will inquire as to the criteria that are used to choose between competing bids for state government land. The circumstances that the honourable member postulates do not ring true to me; they do not sound accurate. But I will get a detailed analysis of that and bring back an answer to the house.

The Hon. I.F. EVANS: My question is again to the Minister for Housing. Given that promised exports are a

criteria for the assessment of tenders for the sale of excess Housing Trust land, why does the government not request a claw-back agreement with the business which has successfully tendered for that land at a lower price in case their promises of exports fail? The government is selling land at Edwardstown to a business at a lower price than the highest price because they have promised exports. There is no claw-back or penalty clause in the sale contract if the business does not meet its export projections. This means that businesses can tender against the criteria knowing they will never deliver it, and local service industries are disadvantaged.

The Hon. J.W. WEATHERILL: I think that, to sensibly comment on the question that the honourable member asks, I would first like to satisfy myself that the premise upon which this whole series of questions has been asked is accurate. It is not unlikely that a whole range of non-price criteria put into any procurement arrangements, in fact many procurement arrangements, whether it be the sale of land or any other processes the government now engages in, do involve involvement of non-price criteria.

The honourable member asks about quite a detailed penalty clause that involves a claw-back for a non-price criteria that went wrong. I must say that we would have been very happy to have a few of those in some of the failed outsourcing and privatisation agreements. If they had been lying around we would not be in as much difficulty as we are in at the moment. The helpful advice that the honourable member gives us about having a claw-back provision to make sure that non-price criteria that they were assessed upon do in fact come true might be a nice idea, but is certainly something that he and his government did not take up when they had the opportunity to do so. But I will look carefully at the premise upon which this whole series of questions about export criteria has been based—I do not necessarily accept that it is precisely as it has been put to the house—and I will bring back an answer.

PUBLIC TRANSPORT, TRAMS

Dr McFETRIDGE (Morphett): My question is to the Minister for Transport. Will the minister advise the house when she will be announcing her decision on the acquisition of new trams? The latest issue of the *Rail Tram and Bus Worker Union* magazine has on its front cover, 'Trans-Adelaide acquires new trams.'

The Hon. P.L. WHITE (Minister for Transport): I have not seen the particular article to which the member refers, but it is common knowledge that we are acquiring new trams, so I think that is a little pedantic, member for Morphett. As I have indicated in this house recently, we are in the final stages of contract negotiations—in fact, this is just about to go to cabinet for finalisation—so the announcement will be quite soon.

WATER SUPPLY, VENUS BAY AND PORT KENNY

Mrs PENFOLD (Flinders): My question is to the Minister for Administrative Services. Will the minister ensure that the Venus Bay and Port Kenny communities will be supplied with adequate safe water this summer? The Port Kenny and Venus Bay communities rely on underground water. A study done in November 1999 by Sinclair Knight Merz stated, 'Current water systems are fully utilised and it is not feasible to extend these systems.' Both townships rely heavily on tourism and notices of unpotable water do not

assist this industry. There are also health issues. The situation is now critical.

The Hon. M.J. WRIGHT (Minister for Administrative Services): I thank the member for her very important question. Obviously, it is a very sensitive issue, particularly for the geographical area that the member refers to, and I understand the priority that she raises with it. I will need to take some advice from SA Water about this issue, and I am happy to do so. There are just no simple solutions to issues of the complexity of the one that the member raises, but I will get some advice from SA Water, and I will confer with the member during the break about that detail.

VEHICLE INSPECTIONS

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Transport inform the house of the results of a Transport SA review of vehicle inspection processes and, in particular, the booking function? In February I wrote to the then minister regarding problems that a constituent of mine had with booking a vehicle inspection through Transport SA. In response to this letter the minister said that Transport SA was conducting a high priority review into the matter. I have not as yet been informed of the results of the review and the problems persist.

The Hon. P.L. WHITE (Minister for Transport): I will make sure that the honourable member is informed of the results of that review, and I thank him for bringing to my attention the fact that he had approached the former minister on that matter.

DOG AND CAT MANAGEMENT BOARD

The Hon. D.C. KOTZ (Newland): Will the Minister for Environment and Conservation advise the house whether the government will reduce the percentage of dog and cat registration revenue payable by local government to the Dog and Cat Management Board as a result of an increase of more than 100 per cent in the maximum dog registration fee? Under the Dog and Cat Management Act 1995, local government must contribute 20 per cent of all revenues raised by dog and cat registration fees to the Dog and Cat Management Board. Changes to the Dog and Cat Management Act from 1 July allowed councils to charge a maximum fee of \$45, compared to a maximum of \$20 in 2003. I have been advised that because of the fees rise, one particular council will pay the Dog and Cat Management Board around \$90 000 this year (up from \$38 000 last year), while another is estimating having to pay around \$140 000 this year—overall, doubling the estimated revenue of the Dog and Cat Management Board to just over \$1 million.

The Hon. J.D. HILL (Minister for Environment and Conservation): The first point I make is that, of course, the decision to increase fees was solely that of the local council. If it chooses to increase it by 120 per cent, that is its decision.

Members interjecting:

The DEPUTY SPEAKER: Order, member for Davenport!

The Hon. J.D. HILL: It seems to me that members opposite are barking mad. In relation to the—

Members interjecting:

The Hon. J.D. HILL: I understand why they are upset. In relation to the 20 per cent to which the member refers—

Members interjecting:

The DEPUTY SPEAKER: Order! The members for Mawson and Davenport will be warned shortly. The minister has the call.

The Hon. J.D. HILL: Put them in the kennel, sir—the current arrangements are that 20 per cent of the metro fees, and it might be a smaller percentage of the regional fees, goes to the Dog and Cat Management Board. It is my intention to reform that board in about October. At that time, with the new board in place, I intend to ask it to review its budget and to work out what is required on a sustainable basis. I hope that will lead to a smaller proportion of funds having to go to the—

The Hon. D.C. Kotz interjecting:

The Hon. J.D. HILL: We can change the regulations. I want to get advice from the new board about what is an appropriate level.

PORT RIVER EXPRESSWAY

Mr BROKENSHERE (Mawson): My question is either to the Treasurer or to the Minister for Infrastructure, but I will name the Minister for Infrastructure. Has he come to an agreement with the commonwealth to accept the \$80 million of federal funding for the Port River Expressway and crossing?

The Hon. P.F. CONLON (Minister for Infrastructure): I thank the member, because I am very happy to get a question from the opposition today, although it is not so much a question as a voice from the grave. It is a very entertaining day. We are continuing—

Members interjecting:

The Hon. P.F. CONLON: Nothing cheers me up more than their misfortune.

The DEPUTY SPEAKER: Order, the member for MacKillop!

The Hon. P.F. CONLON: It is a cheery day, isn't it? There is nothing more cheerful than their misfortune.

Members interjecting:

The DEPUTY SPEAKER: Order! The minister will—

Mr BROKENSHERE: I rise on a point of order, sir.

The DEPUTY SPEAKER: Order! The member for Mawson will take his seat, and the house will come to order. We are coming to the end of a very long and tiring session, and I ask members to control themselves for a little longer. Does the member for Mawson have a point of order?

Mr BROKENSHERE: I do, sir. My point of order relates to standing order 98. I understand how angry the backbench of the Labor Party is, but what I want is an answer to my question.

The DEPUTY SPEAKER: That is not a point of order. The Minister for Infrastructure.

The Hon. P.F. CONLON: We are continuing to have discussions with the federal government about the funding of that—

Members interjecting:

The Hon. P.F. CONLON: They do not want me to talk about the bridge: they want me to talk about what happened today. I am more than happy to do so.

The Hon. K.O. Foley: What happened today?

The Hon. P.F. CONLON: What happened today? If they want to talk about it, we welcome that. We are happy today, because today we govern in our own right, and they are locked into years and years of opposition. It is a happy day for South Australia.

The DEPUTY SPEAKER: Order! The minister will resume his seat. The house will come to order.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for West Torrens is defying the chair.

An honourable member interjecting:

The DEPUTY SPEAKER: The member for West Torrens will be named if he defies the chair.

An honourable member interjecting:

The DEPUTY SPEAKER: As will the member for Davenport accordingly. The house will come to order. The minister was out of order in contemplating a topic that is not part of the question. Members need to calm down, and the minister will answer the question, which I understand related to something totally different to what he was talking about.

The Hon. P.F. CONLON: We are continuing to negotiate with the commonwealth on funding for the project mentioned and for others, and we will continue to do so. Even though we do not agree with them, they are serious people with serious issues, not issues relating to dogs and cats and rats and mice. However, we will continue to talk about these matters to try to get a better deal for South Australia, and we would ask for some bipartisan support for that.

Mr BROKENSHIRE: I ask a supplementary question. Has the Minister for Infrastructure determined the level of toll for commercial and passenger vehicles using the Port River Bridge?

The Hon. P.F. CONLON: As I said, we are in the midst of discussions with the commonwealth about a range of issues associated with the bridges. Can I put on the record the history of this matter and why we are in complex discussions about this? The previous government promised the people of South Australia opening bridges that would be paid for by tolls and would not require any money—they would pay for themselves through a PPP. Of course, that was flagrant nonsense. It was just as bad as all their privatisations in this area, such as putting the grain terminal in the wrong place. We are amending this with some serious people in the commonwealth government. We are having good negotiations and we expect a positive outcome. As soon as we have that positive outcome we will report back to the house.

ANTA VET PLAN

Mr SCALZI (Hartley): Will the Minister for Employment, Training and Further Education advise which stakeholders were consulted in the first round of consultations which closed on 2 July 2004 on the 2005 Annual ANTA VET Plan Discussion Paper and how the second round of consultations is being managed? I am advised that major stakeholders (including Business SA and the Work Force Development Providers of South Australia, as well as a number of ITABS) were not consulted. A second round of consultations (closing mid-August) was announced by the minister on 29 June 2004 in response to my question; yet, several major stakeholders have still not received any formal invitation to comment but some have taken the step of submitting comments to the minister.

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): The member for Hartley has asked me this question before. At that time I went over to him and explained that the consultation process to which he referred related to ANTA, which is a commonwealth based

organisation. So, it is the commonwealth's province to work out whom they consult and how.

It is true to say that there have been discussions within the Department of Employment, Training and Further Education about ANTA places, the future of ANTA and what the priorities will be, and there have been discussions with particularly the soon-to-be formed skills councils in the areas mentioned by the honourable member. To the best of my ability, I tried to answer that question and explain what is the state government's responsibility or initiative in this area. The honourable member's question should really go to the federal government, because this comes under federal jurisdiction.

Mr SCALZI: I have been notified that they still have not received the paper. I ask a supplementary question: will the results of this consultation be made available and, if so, when?

The Hon. S.W. KEY: I would be more than happy to try to answer that question if this matter came under my responsibility. I said in my previous answer that I believe this is mainly the responsibility of the federal government and ANTA itself. That is my first point. However, I am more than happy—and I did try to do this previously when I was asked this question—to talk to the honourable member about the process in which the state government has been involved in relation to this question. As the matter develops further with the stakeholders, I am prepared to keep the honourable member informed of the responses. I am not sure how I can answer that question, other than to say that my offer still stands and I am happy to make sure that the member for Hartley gets the information that he wants. However, I am doing that because I know that the member for Hartley is interested and conscientious in this area through being a parliamentary secretary. I am really not sure what else I can add to the response.

CITY CENTRAL PROJECT

Mr HAMILTON-SMITH (Waite): My question is to the Minister for Infrastructure. With regard to the government's \$33 million taxpayer investment over 10 years in the City Central project, does the government stand by the same principles that he and the Treasurer held when condemning the former government's lease of floor space in the EDS building in North Terrace in 1988? In the Economic and Finance Committee, the minister and the Treasurer were opposed in principle to any taxpayer funded lease guarantees to developers. The Treasurer told *The Advertiser* and *The City Messenger* on 29 July 1998 that 'he was stunned with the precedents that governments would yet again stumble into buildings paid for by the taxpayer.' But on 19 July (this week), the minister informed the house that he had been 'called upon to display leadership by the developer'.

Members interjecting:

The Hon. P.F. CONLON (Minister for Infrastructure): Have you ever heard more forced laughter than that today?

The DEPUTY SPEAKER: Order!

The Hon. P.F. CONLON: I will tell members the difference, but first let me tell them how it is accepted in the business community—the business community which is fast repudiating this mob. It has been welcomed as a piece of leadership from the government. Maybe they will begin to understand why they have been repudiated by four conservative Independents. Maybe they will start to understand why they have been repudiated by conservative Independents who

have a view about building this state, because that is what we are about. What is the difference? It is entirely simple. We have entered into an entirely commercial arrangement to provide five-star ratings not only in energy but a five-star green rating—and they hate it.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. P.F. CONLON: I just want to stop for a moment and soak up the unhappiness.

The DEPUTY SPEAKER: Order! The minister will resume his seat. There is one minute left, and I trust that members can contain themselves in an orderly manner.

The Hon. P.F. CONLON: I am happy to explain the difference, sir. First, it is an entirely commercial arrangement; secondly, it is an arrangement that is underpinned by a performance bond to reach it; thirdly, it is a commercial arrangement that is underpinned by a guarantee that government rents in this building will not be higher than anyone else's rents; and, fourthly, and the major difference—and one thing they will never understand because they just do not get it—is that the day we did it we went and told people every aspect of the deal. We did not hide bits. We did not slime around. We did not do side deals with Motorola. We did not do deals that we hid from the parliament. We told them everything about it. The fundamental difference is this: we told them everything. They will make a judgment. I will tell you what that judgment will be: six more years guaranteed of opposition for these people—not all of them, of course, because we will get rid of some—and good government for the people of South Australia.

Members interjecting:

The DEPUTY SPEAKER: Order! Some members might like to have some caffeine in order to calm down—reverse effect.

SMALL BUSINESS ADVOCATE

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I lay on the table a copy of a ministerial statement relating to the Office of the Small Business Advocate made earlier today in another place by the Hon. Paul Holloway.

TASTING AUSTRALIA

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. LOMAX-SMITH: The South Australian Tourism Commission has advised me that Jacobs Creek has not withdrawn its sponsorship for Tasting Australia, but that contractual negotiations are continuing and are expected to be concluded soon.

PERPETUAL LEASES

The Hon. J.D. HILL (Minister for Environment and Conservation): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: I am pleased to announce that 8 800 perpetual lease applications have now been received—that is, to freehold those perpetual leases. Those applications

represent some 12 900 leases, or 93 per cent of the total number of eligible leases. While the project to freehold is not expected to be completed until 2007, work is proceeding to schedule on the complex process of converting leases to freehold. It is estimated that 1 000 freehold titles will have been issued by August this year and that all applications will have passed through the policy check stage by October this year. Because of the high take-up rate, I now intend to write to the small number of lessees who did not apply and invite them to do so. This offer will be for a limited period, but the same terms and conditions will apply.

I intend to set up a review panel, as envisaged in the recommendations of the select committee, to consider the 1 000 or so requests for review of individual purchase prices that have been received. I am hopeful that the review panel, which will be chaired by a retired judge and will include representatives from the South Australian Farmers Federation, will be in place by December 2004.

I am aware that a number of lessees holding leases with unsurveyed waterfront boundaries along the coast and the River Murray are concerned about the cost and location of proposed waterfront boundaries. To assist these people, I have provided extra time for their applications to freehold and I have made arrangements for a lesser standard of survey to apply in order to reduce the cost of survey. In those cases, the freehold purchase price is also reduced in recognition of the land surrendered from the lease. I confirm that waterfront boundaries along the coast will continue to be located to protect land from coastal processes, and those boundaries along the River Murray will continue to be located to protect the conservation values of wetlands.

The select committee recommended that I consider separately the potential for including perpetual leases located in the rangelands zone with the freehold offer. Scientific staff from the Department for Environment and Heritage and the Department of Water, Land and Biodiversity Conservation have undertaken an investigation into the condition of land held under perpetual leases in the rangelands zone and compared it with land held under pastoral lease in the same zone. That investigation involved interpretation of satellite imagery and on ground survey using land condition indicator (LCI) scores. Of the three level LCI scale of good, fair and poor, only 17 per cent of survey points located on perpetual leases rated in good condition compared with 41 per cent of points on pastoral leases. Further, 36 per cent of points located on perpetual leases rated in poor condition, while only 13 per cent of points on pastoral leases rated poor.

It is clear from these results that the perpetual leased land is in substantially worse condition than adjoining land held under pastoral lease, where management controls are contained in the leases and freeholding is not permitted. The poor condition of this land can also provide a foothold for weed encroachment, which can impact on adjoining land being managed appropriately. The continued deterioration of perpetual lease land in the rangelands zone clearly needs to be addressed. The South Australian public has a right to expect that the native vegetation used to support the grazing industry in this zone is managed in a sustainable manner. The recently passed Natural Resources Management Bill will provide a potential mechanism for addressing the problem over time. In the meantime, I do not believe that the public's interest would be served by permitting general freeholding in this zone at this time. However, I can inform the house that exceptions will be made for perpetual leases that are used for the following purposes: residential purposes, commercial and

industrial purposes, recreation purposes or where sustainable cropping has been demonstrated. Individual letters will be sent to the lessees involved.

Finally, I note that, as this is the last day of sitting, the Crown Lands (Miscellaneous) Amendment Bill will fall off the *Notice Paper* when parliament is prorogued. This will not affect the freeholding project, which does not require legislative amendment to proceed. However, it is my intention that the Crown Lands Act be reviewed and a rewritten bill be introduced in the year ahead.

MOVING ON PROGRAM

The Hon. J.W. WEATHERILL (Minister for Disability): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.W. WEATHERILL: On checking the *Hansard* record I note that the honourable member for Morphett said these words about me and our government in relation to the Moving On program:

The state government has reduced the funding significantly and as a new member of this place I ask for that funding to be reinstated to a level where it should adequately care for, not just a proportion of these young adults who are disabled, but all of them.

That is inaccurate. In fact, the government—

The DEPUTY SPEAKER: Order! Point of order, Deputy Leader of the Opposition.

The Hon. DEAN BROWN: I am not quite sure what the minister is taking here. I did not hear him seek leave to make a ministerial statement.

The DEPUTY SPEAKER: Yes, he did seek leave and leave was granted.

The Hon. J.W. WEATHERILL: That is in fact inaccurate. We increased funding for the Moving On program by a sum of 18 per cent in the last financial year. I also refer to a letter that was read into the *Hansard* record by Mr Holst. It says these things about the Minister for Disability, namely myself:

The Minister for Disability recently claimed on radio that he did not understand the levels of emotion relating to the day options issue. Sir, I made no such comment.

GRIEVANCE DEBATE

HOSPITALS, WAITING LISTS

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Incidentally, I wish to point out that it was the former Liberal government that introduced Moving On in this state. It was the former Liberal government that put the additional money in each year to allow for the increase in the number of people to be treated under Moving On. The Moving On program was fully funded and dealt with the needs—and that is why these people were getting five days a week treatment under the Liberal government and now have been cut back—

Members interjecting:

The Hon. DEAN BROWN: Five days a week support they were getting, and that has been cut back to only three days under this government.

Turning to the grievance debate, today we have seen the power of ministerial perks. We have seen that another \$2 million has gone into supporting a 15th minister here in South Australia, when in fact the Premier said that there would not be a 15th one. Whilst we are putting \$2 million

into ministerial perks, the waiting list at the Flinders Medical Centre and the waiting times at the Flinders Medical Centre are blowing out considerably. There was a very interesting report released last weekend called the 'Review of Elective Surgery, the final report, at the Flinders Medical Centre. That showed some quite alarming figures that I would like to give to the house this afternoon.

Members interjecting:

The ACTING SPEAKER (Ms Breuer): Order!

The Hon. DEAN BROWN: I would hope, Madam Speaker, that you would also hear the interjections from the other side.

The ACTING SPEAKER: I can hear the interjections from both sides.

The Hon. DEAN BROWN: Thank you. I would like to give details of the waiting times for urgent surgery. This is surgery where people have serious cancers, cardiac problems, heart problems etc., and they need urgent surgery. Let us go back to 1997-98, under the former Liberal government. The average waiting days for urgent surgery was 23, the next year it dropped to 15, then to 17, 19, 18, and it was 18 in 2001-02, our last year in government. In the first year of this Labor government that increased from 18 days' wait to 29 days' wait, and in the latest year under this Labor government it has gone up to a 38 day wait for urgent surgery. That is more than a doubling in the two years that this Labor government has been in power.

That is an absolutely appalling record. If I were the minister I would hang my head in shame—forcing cancer and heart patients to have to wait more than the accepted national standard, by eight days, for that urgent surgery. It is well recognised amongst medical specialists that, where you have serious cancer, surgery should take place within 10-12 days, 13 or 14 days at the most. To think that now the average waiting time is out to 38 days shows the extent to which this government has allowed the standards in our major southern hospital, the Flinders Medical Centre, to deteriorate to such an alarming extent.

I also point out what has occurred in semi-urgent surgery. This is surgery which should be carried out within 90 days by the national standards. Under the Liberals in its last year it was 85 days. Under this government it has increased to 101 days, and then to 111 days. Again, that is an appalling record for semi-urgent surgery. These are serious cases where the surgery should take place within 90 days.

This report also revealed a number of other things. It showed that less surgery (in fact, 8.8 per cent) was done in this past year than in the previous year. So, the amount of surgery being carried out under this Labor government is actually dropping at our major hospital. The report shows that. It also shows that there has been a 33 per cent increase in cancellations in the past year because of the shortage of hospital beds at Flinders Medical Centre.

That report speaks volumes for the decline in health care standards, and it is no wonder that there are thousands of people out there on waiting lists. We now have the longest waiting lists for surgery ever recorded in the history of this state, and we have the longest waiting times for that surgery ever recorded in the history of this state. The minister should be ashamed that she has taken health standards in this state to such a lower level indeed.

LOW INCOME SUPPORT PROGRAM

The ACTING SPEAKER: I call the member for Reynell.

Mr Scalzi interjecting:

Ms THOMPSON (Reynell): I can assure you, member for Hartley, that any possie on this side is better than any possie on that side. Last week I received a most disturbing letter from Uniting Care Wesley, which wrote to me because of my interest in low-interest loan funds for people in the southern area. I was advised that the federal minister, Kay Patterson, has asked state networks to send in submissions regarding the payment of Centrepay fees at the end of the waiver period for the low income schemes. It states:

Please find a copy of the submission enclosed. The Loan Fund provides loans of up to \$800 to people on low incomes for basic household items such as washing machines and fridges. All of these people would not be able to purchase such items without paying very high rates of interest.

We ask you to support the continuing of the fee waiver as this is a very cost effective way of supporting people who are experiencing financial hardship.

There was some attached material which suggested that CentreLink was about to charge some of the most disadvantaged people in our community fees for the repayment of their no-interest loans. I found this absolutely amazing, so I rang Uniting Care to find out what was going on. Indeed, the situation is that Uniting Care Wesley, together with many other wonderful organisations around Australia, provide interest-free loans to people who would not otherwise be able to get loans because of their low income. The loans are only available for things such as essential household items such as washing machines, a fridge, car repairs, medical expenses or equipment for training. People who receive these loans must be able to demonstrate a capacity to repay a minimum of \$20 per fortnight. Usually the maximum loan is \$800.

The people receiving these loans are in very tight circumstances. Up until now they have been able to authorise repayment of their loans through their CentreLink payment, at about \$20 a week, as I indicated. There has been no charge for this. The miserable, mean and stingy Howard government is indicating that it intends to charge \$1.01 per fortnight for the deduction of this \$20 amount. This, as member for Colton says, is an absolute shame. At the moment, and due to representations from organisations around Australia, the implementation of this charge has been deferred until the end of the current financial year but in the meantime organisations have been asked to go out and raise funds or find some other way of paying back the average of \$40 per line. These organisations find it extremely difficult to go out to the community and say, 'Could you donate us some money so that we can pay Centrelink for providing services to some of the most disadvantaged people in the community?' Funnily enough, these organisations tell me that that is not an easy story to sell in the community. They also believe, from conversations that have been held, that the amount to be charged is going to increase from \$1.01.

This is how the Howard government cares for the most disadvantaged in our community. When such venerable organisations as Uniting Care Wesley or the Good Shepherd Youth and Family Services try to support these people in a very practical, down-to-earth way the Howard government seeks to charge them a dollar per fortnight for the deduction of \$20 loan repayment schemes. This is an absolute disgrace and Howard deserves to be told that the people of Australia want better from their federal government.

URBAN INFILL

Mr BRINDAL (Unley): It has always been a great pleasure to be the member for Unley in this place. There have been a number of long and distinguished holders of the office of member for Unley before me, and that has included a number of cabinet ministers. The greatest privilege of representing Unley is the electors of Unley. It is one of the truly intelligent electorates in South Australia where you do not get away with being a lazy member of parliament—

Ms THOMPSON: I rise on a point of order. The member for Unley is making the most disgraceful implications about my constituents and I ask him to withdraw.

Mr BRINDAL: I actually said that my electors were very intelligent: I did not imply at all that the honourable member's electors were not equally as intelligent, but if she wants to see the fact that I think my electors are exceptionally intelligent as a slight then that is her business. I do happen to be little biased.

The Hon. L. Stevens: The question is why did they elect you then?

Mr BRINDAL: Because they are extraordinarily intelligent, to answer the minister. To return to the point (and it is very important point), a group has been established in Unley called Focus and that group arises from an emerging community need that I think is not just a Liberal need, but is a need of Adelaide—especially some of the inner suburbs, although places like Port Adelaide, Labor strongholds, are equally concerned with this issue.

The issue is that of urban infill. No-one, including people from Focus in the City of Unley, is going to argue that urban infill per se is bad, that we could not do with greater population density. But we need to look at the way we provide our services and not let the city sprawl forever. We have beautiful character streets, streets which have a complete vista of turn-of-the-century villas, streets which are absolutely classic streets of unfettered workers cottages—and I see the member for Colton nodding. Half of Henley Beach was beautiful in its extant preservation of an era and it is now a menage of all sorts of conglomerations and styles, with everyone falling over themselves to build a bigger edifice to their own glory which they happen to think looks stunning for today but by tomorrow everyone will wonder who built the thing.

Unley is no different. There are beautiful streets and streetscapes that have been there for well over a century that encapsulate a gracious era that is, perhaps, no more, and within one stone's throw of the city—you can actually walk to work from Unley. You can have a house with a tennis court, a swimming pool and beautiful trees, and you can do so two or three miles from the centre of the city. Where else on the face of the globe can you enjoy in a capital city what we can in Adelaide? Yet, because of our current planning laws—and specifically the lack of demolition controls, for which we as a government were partly responsible for not implementing but which now should be implemented—regardless of the value of property, developers can simply seek a demolition order and, in the case of Fernilee Lodge, they can then go broke. So, the people of South Australia lose a grand and gracious building, the developer goes broke and we are left with a weedy paddock.

If anyone wants to know about weedy paddocks, I suggest we consult the member for North Adelaide and look at the Le Cornu site, which is the best advertisement for desertification I have ever seen: the park you have when you are not having a park; the site you have when there is nothing to do with the

site. The old Le Cornu building was an abomination, and it was probably better pulled down, but nothing has since taken its place.

Unley has beautiful heritage and built forms which are being pulled down and, in place of one lovely, gracious building, we have four nondescript ones—if, indeed, we are lucky and they can fit in only four, because often they want to fit in 7, 12, 15 or 16 buildings. As a result, people are piled on top of one another, the developer makes a quick quid, the rest of us suffer, the streets are crowded, the vistas are ruined forever and the city of Adelaide is destroyed. The people of Unley have had enough, as have the people of Burnside, and I suspect that the people of Henley Beach and Port Adelaide have also had enough.

As the government—the people who govern South Australia—we should be saying, ‘Let’s preserve what our forefathers gave us. Let’s look after this city and not throw it away willy-nilly on a pot pourri of development that is futile.

WATER RECYCLING AND REUSE

Mr CAICA (Colton): In opening, I congratulate the member for Unley for his contribution. What I will talk about today relates somewhat to his remarks. Those who listened to me yesterday, or who were even remotely interested, know that I spoke about stormwater recycling and reuse in the context of the attitudes of three suburban councils: in particular, the City of Charles Sturt (at the far end of the spectrum with respect to the inadequacies of projects it takes on board in the context of stormwater reuse and recycling) through to the Salisbury city council, which is at the cutting edge in regard to its initiatives to store, recycle and sell on water.

Yesterday, I did not get the opportunity to complete my contribution and, in that regard, I thank the very kind, generous and outstanding member for Playford for giving up his grievance time for me today. I will talk about the impediments that exist to the implementation of best practice measures in the area of water-sensitive urban development. Councils that may be willing to implement such measures may be unable to do so, in any case, because of unsupportive development plans—just the same type of plans about which the member for Unley spoke—which allow the urban infill about which he spoke so well. These unsupportive development plans mean that even if a council wanted to implement proper initiatives with respect to water recycling and reuse, it would not be able to do so. As we all know, changes to development plans take time, and they are very slow. They need to be more responsive to councils that are willing to take on initiatives in these areas.

This morning, on behalf of the Minister for Urban Development and Planning (Hon. Trish White), I spoke at the Planning Institute of Australia’s winter planning seminar. I touched on this issue and, indeed, development acts. It probably would have been a much more interesting day had I stayed there, where I could have engaged some of these planners about the impediments that exist to the visions they have for sustainable building development, and that also includes, of course, water-sensitive and water recycling issues.

The Development Act delegates most responsibility regarding development approval to the development plans, which differ and vary across councils. So, water reuse and

recycling is a consistent issue across the state. I believe that the Development Act should be amended to include a requirement for water reuse and recycling similar to that for designated open space: that is, a requirement to ensure that water sensitive urban development becomes an integral part of any development plans for urban regeneration.

Water run-off knows no boundaries. If it rains in Unley, the runoff finishes up at West Beach. If we have a look at the upper catchment, the Unley council does not have to worry about its specific infrastructure with respect to handling this runoff because it goes down to West Torrens. So, why should the Unley council care about what happens in its electorate when the problems will end up further down the catchment? This could be resolved by ensuring that there is a larger body—I mentioned SA Water—to facilitate a whole-of-catchment approach. We know that the catchment boards are doing this, but I would like to ask those boards whether they feel it is working successfully in the light of the attitudes of some councils.

Another issue is that SA Water sells water, so it might be less inclined to support the reuse of water in the context of its own self-interest. Some councils and schools use innovative approaches which are driven by individuals. Once those individuals move on, progress halts—it is not built into the system. I would argue that, if new and innovative environmental solutions are driven not by government but by individuals, the results can be sporadic and inconsistent. We need an overarching system, not an independent approach. We need to work together cohesively, and we can see how that has worked in the past because the Morphettville Racecourse is an outstanding example. Aquifer storage reuse under the EPA has very stringent guidelines. Perhaps a one-size-fits-all approach is not the way to go and each system ought to be assessed on a case-by-case basis with the underlying assumption that the water that goes back into the aquifer needs to be of the same quality that is already in it.

SA Water charges sewer and water fees regardless of whether or not there is a connection from a house to the pipeline. That then makes rainwater usage financially unviable, given the cost of rainwater tanks and plumbing. What we need is a balanced social, environmental and economic approach to sustainable building development which includes water reuse and recycling.

ELLIOTT COURT

Mr SCALZI (Hartley): It is with great reluctance that I bring this matter to the attention of the house, because I had hoped that it would have been resolved long before this. I have been in communication with the former minister and the current minister (as has my constituent) to no avail. Mr Cotton and residents of Elliott Court at Campbelltown have been requesting assistance with addressing a potentially dangerous traffic situation since October last year. Elliott Court is an aged care housing complex with its only entrance on Montacute Road. In order to enter or depart from the complex, residents are obliged to execute a U-turn on Montacute Road, which often necessitates using adjacent driveways and making a three-point turn. This arterial road carries large volumes of fast-flowing traffic, especially at peak hours, and the dangers of such manoeuvres are obvious.

A median break is situated 50 metres west opposite the Langton Park Village entrance, and a deceleration lane is present. Residents request the provision of a similar opening outside Elliott Court which would entail the removal of a

small section of the median strip. The residents approached me for assistance in October last year. A petition was submitted to the council, site meetings were undertaken with residents and council representatives, and a request was made to the Minister for Transport. In November, the Campbelltown City Council passed a resolution in support of the request. The cost of the works has been estimated at only \$5 000, and the presence of an existing deceleration lane would minimise the impact on traffic flows on Montacute Road.

This request was nevertheless rejected by the then minister for transport in April on the grounds that additional vehicles turning right into Elliott Court would impact on the through traffic lane and because the traffic activity generated by the retirement village is much less than the 400 trips per hour required under the policy. Since that time, further correspondence and meetings have been continued with the current minister's office, but with no resolution.

Residents are dismayed at the government's position and consider that other aspects of the same policy on median openings are being ignored, particularly the aim 'to optimise local access and minimise U-turning'. Further, they consider that the deceleration lane already in place and the relatively small increase to turning traffic mean that the median opening would in no way compare to the impediment to traffic flows caused by dangerous U-turn manoeuvres. Residents of Elliott Court, their visitors, tradesmen and women and emergency services would all benefit from the easing access to Elliott court, and surely the needs of its ageing residents should be taken into account, along with the daily stress and anxiety that the current situation is causing.

Mr Cotton is a longstanding member of local government. I commend both the Campbelltown council for its care and approach and Mr Cotton for his meticulous work in following the issue through under two ministers and with a number of different ministerial staff. After nearly 12 months of letters and meetings, understandably he is frustrated at the lack of action. On 13 July 2004, Mr Cotton wrote:

How many people does it take to get a decision considering they [ministerial representatives] each agree with the request. . . We have all paid our dues during our working life, now we want some consideration to make our lives a little less stressful or does being a senior make you less important in the scheme of things?

I can understand the frustration of Mr Cotton. He has done everything. I have communicated with the former minister and the present minister, and I must commend the former minister of transport's chief of staff who came and looked at the situation. I cannot understand why nothing has happened when they have seen the problem first-hand. Campbelltown council supports it, there has been a petition and an article in the Messenger, yet there is still no resolution. It is difficult to make those manoeuvres on Montacute Road, a busy arterial road. What has to happen before action is taken to ensure that my constituents can have access to the driveway of their home?

ABORIGINAL DISADVANTAGE

Ms BEDFORD (Florey): It is a privilege to speak today, the last grievance I believe before we rise. I again acknowledge that we meet in parliament on Kaurua land and I pay my respects to the traditional owners. The important observations of Sorry Day, Reconciliation Week and NAIDOC Week have come and gone for yet again another year. Even in the wake of NAIDOC Week and the shadow of yet another

successful Reconciliation Week in Adelaide, there continues to be clear disparities between indigenous and non-indigenous Australians across all indicators of quality of life. Much has been said about the appalling levels of disadvantage suffered by indigenous Australians and the extent of indigenous disadvantage in the key areas of health, housing, employment, justice and remote communities, in fact the gross disadvantage faced by indigenous people across every social and economic indicator.

Indigenous Australians experience awful disadvantage, the lowest standards, as I said, of health, education, employment and housing and are over represented in the criminal justice system. It could be said that the situation represents a national emergency and requires the application of considerable effort and resources. The nature and extent of disadvantage of indigenous peoples in Australia has been outlined in numerous reports and studies and there can be no mistake about the extent of the problem. As a government and as decision makers all of us in this place have responsibilities to Aboriginal and Torres Strait Islander peoples, given that their lands were expropriated without consent or compensation, and the resultant history of colonisation and dispossession is now apparent for all of us to see. It is my strong belief that all tiers of government have an obligation as a matter of social justice to rectify this state of affairs as a matter of the highest priority.

I am constantly reminded of the most distressing factor of indigenous disadvantage as my electorate office is contacted weekly by indigenous families, many highly distressed and depressed, who are unable to locate or sustain suitable housing and who, in some cases, have no shelter at all. In fact, the 1996 census revealed that only 31 per cent of indigenous families owned their own home compared with 70 per cent of all Australian families; and that 17.8 per cent of indigenous households were overcrowded by accepted Australian standards compared with 3.8 per cent of other Australian households. Indigenous households occupied almost 50 per cent of private dwellings with 10 or more occupants. Approximately 33 per cent of all improvised dwellings (sheds, humpies and similar) were occupied by indigenous households.

In relation to rural and remote discrete indigenous communities, in 1999, 33 per cent of housing in discrete indigenous communities was in need of repair or replacement. No water quality testing had been undertaken in 64 of the 233 indigenous communities not connected to town water; and the water supply failed to meet required standards in a further 58 communities tested in the previous 12 months. Power interruptions had occurred on at least 20 occasions during the previous 12 months in 57 communities and sewerage leaks were reported in 204 communities. The present poor state of indigenous housing and infrastructure and the huge backlog of need are the direct result of negligence by all tiers of government over a great many years. There has been insufficient capital investment in housing and essential infrastructure, and a clear deficiency in service provision.

It is sadly this enduring level of disadvantage which truly inhibits true reconciliation. It is impossible to come together as equals and walk the path of reconciliation together when we are truly not equal. The need for greater understanding between indigenous and non-indigenous Australians has never been more urgent. There is a great need for governments to listen to indigenous people and to plan with them and to work with them on strategies. We can no longer ignore

the situation in our community, nor the scope of the task. Governments must show that they are prepared to set aside ad hoc approaches of the past and engage seriously over the long-term with communities. If we do not turn the situation around, the entire nation will suffer.

Engagement at many levels, education and employment included, is what will turn the community around. We must be held more accountable to our own rhetoric on practical reconciliation. The big questions must be asked about how we can work together to get better results than what we have already managed to achieve. Rather than walking away and saying that it is all too hard or blaming the victim, we need to redouble our efforts to get it right. We have seen that we can achieve, albeit small measures, but it is possible and it is time, as Fred Chaney once said, 'to ensure the good intentions are translated into positive action'. I know that the government will work very hard to make sure that the AP situation is resolved in the not too distant future and that service delivery, as promised, will roll out onto the lands and that we will see in no time at all the results of that rollout.

SITTINGS AND BUSINESS

The Hon. M.J. ATKINSON (Attorney-General): I move:

That the house at its rising adjourn until Monday 16 August at 2 p.m.

Motion carried.

JOINT COMMITTEE ON A CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT

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

That the committee have power to continue its sittings during the recess.

Motion carried.

SELECT COMMITTEE ON NURSING EDUCATION AND TRAINING

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

That the time for bringing up the report of the committee be extended until 18 August, and that the committee have power to continue its sittings during the recess.

Motion carried.

SELECT COMMITTEE ON THE JUVENILE JUSTICE SYSTEM

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

That the time for bringing up the committee's report be extended until 16 August and that the committee have power to continue its sittings during the recess.

Motion carried.

STAMP DUTIES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 May. Page 2056.)

Mr HANNA (Mitchell): I wish to speak on behalf of the Greens in relation to this bill. The government wishes to make some improving amendments to the stamp duties regime. I wish to do the same. During the committee stage of this bill I will attempt to sex it up a bit and bring in some same sex law reform. I know there is a commitment on the part of government members to such reform, and I look forward to their support. I will speak more about the specific amendments when we reach that point.

The Hon. I.F. EVANS (Davenport): This bill seeks to make a number of minor amendments to various stamp duty regimes that exist within current legislation. From memory, about 11 different amendments to stamp duties are proposed in this bill. It really is a mechanical bill in that sense. The opposition will be supporting the changes. The government gave a comprehensive second reading contribution which sets out the 11 changes to the stamp duties. The first amendment that the bill seeks to achieve is to allow the electronic lodgement of a registration, to register or transfer the registration of a motor vehicle under the Motor Vehicles Act. We see that as a pretty simple change.

The second amendment deals with the removal of the requirement that stamp duty payable on an application to register or transfer the registration of a motor vehicle must be separately denoted on the certificate of registration of the vehicle. As the house can see, that sort of change is again a mechanical measure. Apparently, under the current motor vehicle registration process it displays the total fee receipted for a transaction. It does not contain a cash register imprint of the stamp duty paid, as a separate component of the total fee, as required under the provisions of the act. Rather than making the process fit the act, the government is going to make the act fit the process. Given that it is minor in nature, the opposition will not hold the house long on that point.

The third amendment is to limit the exemption currently available in respect of a motor vehicle held in the name of a totally or permanently incapacitated person to only one motor vehicle owned by that person at any given time. This is to try and close off a loophole. The government is now so mean spirited that they will not give a stamp duty reduction or rebate on the basis that a disabled person might own two cars. They will only now allow it on one. Given that the government is struggling with a \$250 million surplus, given that they can afford—

The Hon. M.J. Atkinson: And a 60 per cent approval rating; and an absolute majority.

The Hon. I.F. EVANS: I note that the member says that they have an absolute majority. I note that the minister reflects on the extra cost of the two ministries and how that money could be put into disabled services and to help people with reduction in stamp duties. Only yesterday, as I recall it, we had a protest in the street by disabled people, and the government's response to that is not to give them any extra services or money but, rather, to spend more money on ministers, more money on ministerial cars and more money on ministerial staffers, rather than help the disabled. This bill seeks to make it more difficult for the disabled by making a minor change to the stamp duty regime. If the government is so mean spirited that they wish to do that, then so be it. We acknowledge that they have control of the house and we realise that we do not have the numbers to stop that particular issue, so that will go through the house.

The fourth amendment provides relief from stamp duty for spouses or former spouses including de facto partners where

the registration of a motor vehicle has lapsed and the application to register a motor vehicle is lodged with the registration, licensing, and administration branch of Transport SA. Apparently the current act provides a stamp duty exemption for instruments, the sole effect of which is to transfer the registration of a motor vehicle between spouses or former spouses. I think that this might be one of the amendments that the member for Mitchell might be addressing in regard to definition of spouse, and who should be eligible for certain rebates and those sorts of charges in relation to stamp duty.

The fifth amendment removes the potential for double duty where another instrument transferring property in the motor vehicle exists but has not been lodged for stamping prior to the application to register or transfer the registration of a vehicle. Again, that is purely a mechanical measure. There are a number of other amendments—

The Hon. M.J. Atkinson: I have already done the second reading; you needn't do it again for me.

The Hon. I.F. EVANS: I am just going through it, so my side of the house knows what is going on. Now I will have to explain the other five amendments. I was not going to hold the house long, but the Attorney interjects, so we can keep going. The sixth amendment removes the potential for avoidance of stamp duty by primary producers, and the last thing that the government and their supporters want is for those primary producers to be getting an advantage. So, the stamp duty must be an enormous amount under this particular provision that the primary industry are ripping out of the government coffers. You can imagine how much stamp duty would be ripped out by the primary producers.

So, the government here is seeking to remove the potential for avoidance of stamp duty by primary producers in circumstances where a primary producer has obtained conditional registration under the Motor Vehicles Act. An application to register a motor vehicle is exempt from duty where immediately before the date on which the application is made the motor vehicle is registered in the name of the applicant and not the name of any other person. This ensures that stamp duty is not payable each time a motor vehicle is re-registered in the same name. The same exemption also applies if the applicant satisfies the Registrar of Motor Vehicles that, immediately before the date on which the application is made, the motor vehicle is registered in the name of the applicant.

The act also provides an exemption from stamp duty payable in respect of an application to conditionally register a motor vehicle under the Motor Vehicles Act. The conditional registration provisions of the Motor Vehicle Act allow a primary producer to conditionally register a vehicle that is being used between two parcels of land which are being worked on by the primary producer. The potential for stamp duty avoidance arises when a primary producer attains conditional registration under the Motor Vehicles Act which is exempt from stamp duty and fully registers the vehicle, and obtains further exemptions for stamp duty because of provisions-mentioned exemptions. The proposed amendment closes that loophole. So, the primary producers are getting a bad deal out of this particular piece of legislation and so are the disabled.

The seventh amendment—and I know that the Attorney is aware of it because it is in the second reading speech—allows a person who is entitled under the Motor Vehicles Act to receive a pro rata refund of registration fees to also receive a pro rata refund of stamp duty on renewal certificates for

compulsory third party insurance. We would support that. The eighth amendment merely ensures that councils continue to receive an exemption of stamp duty on the registration or transfer of registration of motor vehicles following enactment of the Local Government Act 1999.

The Hon. M.J. Atkinson: I was hoping you'd done your research on this before the debate started.

The Hon. I.F. EVANS: Yes, I have, absolutely. In fact, I have been briefed by the officers, if you want to ask them, where we had a very enjoyable briefing, and they actually wrote back to me with a number of answers to questions. The reason I asked the officers the question is because they had the courtesy to respond, whereas the minister rarely does. So I will take the opportunity to thank the officers for an excellent briefing. They answered my questions and satisfied my curiosity about the intent of the act.

If the minister wants me to, I can ask lots of questions in the committee, and the officers can repeat the answers they have courteously given to me to you, so that you understand the questions that I am asking. I know that the most likely scenario is that you have not asked the same questions of the officers as I have, because when I asked them questions they were surprised at some of the questions I asked, but they enjoyed giving me the answers, so I appreciate their efforts to inform the opposition about the debate, otherwise we would be here for a long time debating 11 different amendments. I am not quite sure how long we want to be here tonight, because as lead speaker of the opposition I have unlimited time, and we do have a committee, as I understand it, because the member for Mitchell has a number of amendments which could take a long time to debate. I am relaxed; I have nothing else to do tonight.

Ms Bedford: Nothing else to do tonight?

The Hon. I.F. EVANS: Nothing else to do tonight, no.

Ms Bedford: No electorate to go to?

The Hon. I.F. EVANS: No; because I have pencilled in tonight for parliamentary duties. I have entered in my diary 'parliamentary duties'.

The Hon. M.J. Atkinson: It's been such a big day you want to stretch it out.

The Hon. I.F. EVANS: It has been a big day. You would be surprised how many people rang from Growdens to thank me today for the passing of the bill last night. It has been a big day.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: In fact, wasn't that the bill you said had no chance of getting through? I think that was the bill that you said had 'no chance of getting through'.

The Hon. M.J. Atkinson: In its current form.

The ACTING CHAIRMAN (Ms Thompson): Order! Point of order, member for Torrens.

Mrs GERAGHTY: On a point of order, Madam Acting Chair, could the member be perhaps reminded of the debate that we are actually discussing now, not something that happened in the past.

The ACTING CHAIRMAN: I uphold the point of order, and ask the member for Davenport to return to the substantive matter.

The Hon. I.F. EVANS: Hear, hear! I support that, and I thank the Chair for her guidance and the member for Torrens for bringing me back on to the track, which is the eighth amendment, out of 11, to do with stamp duties. We already know that with this bill the government is making it more difficult for the disabled and for the primary producers. But it is making it easier for local councils, because if you picked

a group that was struggling would it be the disabled, would it be primary producers or would it be local government? This government has picked local government. They are the winners. Local government are the big winners under this bill, because, lo and behold, they get a benefit. If the poor old disabled own two cars they get done over on this bill, but if local government own two cars they get a benefit. This government is generous in the extreme in relation to that particular matter.

The Hon. M.J. Atkinson: And popular!

The Hon. I.F. EVANS: Well, you might be popular. I do not think the disabled groups particularly like the government, but you may be popular; that might be right. That brings me to the ninth amendment which allows the commissioner to seek evaluation or, indeed, appoint a valuer to test the valuation of the car, because those pesky residents out there may actually misrepresent the valuation of the car, and this allows the commissioner to seek evaluation or appoint a valuer where the commissioner is of the opinion that the amount declared in the application to register or transfer the registration of the vehicle is not the true value of the vehicle. This is when those outrageous constituents out there say they have sold a vehicle for \$10 000 but the vehicle was actually worth \$20 000, and because they have misrepresented the value the state government misses out on its appropriate level of stamp duty.

So what happens here is that the commissioner has the opportunity to go out and pick a valuer and say, 'Go and check the valuation'. He will be able to charge for the valuation, as I recall the advice, but Mr Walter, who wrote me a very courteous letter as a result of my officer briefing and the questions I raised, has explained to me that they intend to only charge a fair value for this, and only the 'true costs'. I am not quite sure what 'true costs' means, but I am sure they are only going to be charged the true cost and not, for instance, make a profit from it. It will be interesting to see what 'true costs' are, and whether they actually include the administration costs or just the costs of the valuation. So, if Freddy Bloggs, valuer, charges \$200 to value the car, is that the cost of the valuation, or are all the Public Service administration costs on top of the valuation added onto the costs that are to be charged to the person getting the valuation? So that is the ninth amendment that the government seeks to introduce.

The tenth amendment seeks to align exemption provisions in the act with the new parts with the Family Law Amendment Act, which came into operation in 2000 and 2002 respectively. I know that the member for Mitchell has some amendments in regard to those matters. The eleventh amendment seeks to address—

The Hon. M.J. Atkinson: You can vote together as often as you like.

The Hon. I.F. EVANS: Us and the member for Mitchell?

The Hon. M.J. Atkinson: Yes.

The Hon. I.F. EVANS: I understand that. You can ridicule the member for Mitchell; that's all right; that's up to you; I won't do that.

The Hon. M.J. Atkinson: I am just providing you with a calculation in case it hasn't dawned on you.

The Hon. I.F. EVANS: I understand; it is all numbers. I understood when you lost Growdens that day; I had the numbers. I understand that today you might have the numbers.

The Hon. M.J. Atkinson interjecting:

The Hon. I.F. EVANS: Every dog has its day. The eleventh amendment seeks to address a drafting matter arising from the amendment made to the Statutes Amendment (Corporate Finances and Services) Act. It is a minor, technical and mechanical amendment, and on this occasion we have bowed to the government's argument. With those comments the opposition notes the bill.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

New clause 3A.

Mr HANNA: I move:

Page 3, after line 1—insert new clause as follows:

3A—Amendment of section 2—Interpretation

(1) Section 2(1)—after the definition of 'discretionary trust' insert:

'domestic partner' of a person means—

(a) a spouse of the person; or

(b) a same sex partner of the person,

and 'domestic partnership' has a corresponding meaning;

(2) Section 2(1)—after the definition of 'sale' insert:

'same sex partner'—a person is the same sex partner of another if the person—

(a) is of the same sex as the other; and

(b) cohabits with the other as his or her partner in a genuine domestic relationship; and

(c) has so cohabited continuously for at least 3 years;

(3) Section 2(1), definition of 'spouse'—after 'with the person' insert:

in a genuine domestic relationship

This amendment creates a definition of domestic partner and same sex partner. The purpose of the amendment, which is part of a package of several amendments, is to give equality to same sex partners in relation to certain stamp duty matters. In particular, it would allow people in a same sex relationship as defined to enjoy the same stamp duty exemptions as married people or heterosexual de facto couples presently enjoy.

This is not a new issue. I introduced a private member's bill, known as the Stamp Duties (Equal Entitlements for Same Sex Partners) Amendment Bill, last year, and it was last dealt with on 25 June 2003. Members of the public may not be aware that the parliamentary session ends around the end of July and at that time legislation simply lapses if it has not been dealt with. That is what happened with this bill. I chose not to pursue it to the ultimate vote on the basis of assurances given by the Treasurer.

It is worth recounting what the Treasurer placed on the record, in addition to his private assurances to me, last year. In relation to that measure, which is identical to the measure that I now bring before the house, he said:

I commend the member for Mitchell for this initiative. It is consistent with endeavours by this government and others to ensure that we modernise legislation in this state—progressive law reform which, as I said, has been a consistent hallmark of this government, I believe, in this area in particular.

I point out that these are the Treasurer's remarks and I do not endorse all of them. He continued:

In this instance, the government is supportive of the measure put forward by the member, but I understand that the Attorney-General is undertaking a comprehensive review of the issue of same sex couples as it relates to all major pieces of legislation. The preferred position of the government is to have a consolidated approach (perhaps that may be in the form of an omnibus bill, or however the Attorney chooses to address this matter). But there would be a broader sweep of legislation that needs this type of reform. From my position as the Treasurer of the state, I support the measure. I think it is a sound, sensible measure, and from the Treasury portfolio of

this government we will be supporting this measure. But it will be for my colleague the Attorney-General to determine the timing, which I assume will be later this year, if not early next year.

There are a couple of significant points about that. First, I agreed not to pursue that private member's bill to a vote knowing that some of the government backbenchers would be very uncomfortable voting against it at the direction of the people who run the party. I did that on condition that there would be this sort of omnibus sweeping reform. It is part of Labor policy, and it has been in the Labor platform for years.

Incidentally, I commend people like Matthew Loader and others from the Let's Get Equal campaign for their persistent work in trying to get this reform on the agenda. I wonder how long the Labor supporters within that campaign can continue apologising for Labor government delays in relation to this measure.

The other significant point about the quotation from the Treasurer is the timing. He was referring to late 2003 or, at the latest, early 2004. We have now got to around late July 2004 and there is still no sign of this promised government reform. Perhaps the clue to this unfortunate breaking of an assurance is the out clause, 'It is up to the Attorney-General to determine the timing.' It is well known that the Attorney-General is not in favour of the legislation. He does, however, feel bound by Labor Party policy. Unfortunately, given that I was acting on an assurance in June of last year that reform was imminent, I cannot place any great weight on assurances that the reform is yet to come at some time in the future, at a time of the Attorney-General's choosing.

Now is the time to start on same sex law reform, given that there is nothing unlawful about people of the same sex cohabiting with each other as partners in genuine domestic relationships. The time has come to say that their rights in law should be the same as those for heterosexual couples. There are those in this chamber who condemn homosexual couples for their practise of their sexuality. That has nothing to do with this bill. The fact is that we are talking about a lawful relationship between two people which has been discriminated against on account of their sexuality, and that is unacceptable in this day and age. Quite simply, I move this amendment in respect of the stamp duty bill so that homosexual couples can enjoy absolutely equal rights to those that heterosexual couples presently enjoy.

My preference is for sweeping legislative reform which touches on all state legislation which discriminates in this way against same sex partners. However, I cannot do so as a Greens member sitting on the crossbenches, but I can introduce sensible reform to achieve the equality and justice I am talking about, and I can do so in relation to one bill at least—and this is the opportunity, as the government introduces this bill, to tidy up aspects of the Stamp Duty Act; hence, my amendment.

I say this about the definition: there has been a lot of discussion within the community about exactly what the right definition should be. The one I have put forward is very close to that which applies to de facto heterosexual couples, and I think that entirely appropriate. Of course, if the government thinks that there is a better definition of same sex partner, that is fine. I am prepared to talk about that, and I would probably endorse the government definition, but the point is that this is the time to introduce it. So, I am looking for support from the opposition and the government to achieve equity for people in same sex relationships. If the government wishes to amend the amendment, whether in this chamber or in the other place, because it has some preferred definition, that is

something we can all talk about. It may well be that I am quite happy with the government definition, but the problem is that, after a long time of waiting, I have not yet seen one.

I can only trust that every member in this house who sees it as an injustice that couples in same sex relationships are treated differently, for stamp duty purposes, from de facto heterosexual couples will join me in supporting the amendment.

The Hon. M.J. ATKINSON: The government has no quarrel with the policy of these amendments—contrary to the misrepresentation of my position by the member for Mitchell. I have comprehensive legislation ready to go in the next session. In November 2003, I made a ministerial statement foreshadowing legislation to remove unjustified statutory discrimination against same sex couples. I understand that many in the opposition do not support that and will oppose the whole of the legislation. Presumably, most of the opposition will oppose the member for Mitchell's amendment today on the same principle, and I imagine that the member for Hartley will be one of those.

It is the policy of the Rann Labor government to amend the law of the state to give same sex couples equal civil rights with unmarried opposite sex couples, with the exception (for the moment, at least) of adoption and reproductive technology matters only, because I always listen very carefully to the member for Florey and her policy advice. I expect to introduce a bill for this purpose early in the spring session.

The amendments proposed here would give same sex couples the same rights as those enjoyed by opposite sex couples to exemptions from stamp duty on transfer of the registration of a vehicle or of their home. These couples should have these rights, and the policy of the amendment commends itself to the government. The government will not, however, support this amendment, because it would rather see this done as part of a comprehensive measure that takes in all the instances of discrimination we can find in the statute book, using consistent definitions. We think that this will be the clearest and simplest way. I assure members that, although our measure has taken longer to prepare than we expected, it will be ready for introduction early in the spring session.

Mr Hanna: Of which year?

The ACTING CHAIRMAN (Ms Thompson): Order!

Mr SCALZI: I understand the member for Mitchell's reasoning behind his amendment, and I commend him for his consistency with respect to measures dealing with same sex relationships. I have given a lot of thought to whether same sex relationships should have the same concession as heterosexual de facto and married couples. In thinking about this measure, some would say that I should be consistent in regard to my push for domestic co-dependants and, given that same sex couples are domestic co-dependants, therefore the measures I said should be addressed with superannuation should apply equally in respect of stamp duty concession.

I understand why some would say that that is the logical progression of what I put forward. However, there are differences in relation to stamp duty and superannuation. In respect of the latter, there is a contribution by the member. In other words, they can indicate that they would like to allocate their superannuation or their accumulation of wealth to a carer or a domestic codependent partner. I understand and support that. There should not be any financial inequity where an individual has made a contribution; that would be unjust.

Mr Hanna: What about stamp duty, then?

Mr SCALZI: I am coming to stamp duty. There should not be any discrimination or inequity in the distribution of superannuation when, in reality, it is a form of inheritance. However, when it comes to stamp duty on the family home, that is different, because stamp duty concessions are not based on individual contributions. Stamp duty is funded by the taxpayer, not by an individual. There is no part of stamp duty (apart from income-tax or consumption tax) that can be claimed, as is the case with superannuation. To say that stamp duty should be treated in the same way as superannuation entitlements I believe is wrong, because we are working from a different base. Superannuation has as its base member contributions. When we are dealing with stamp duty, there is no such base.

We are asking the general taxpayers of South Australia to afford a concession to same-sex couples in the same way as they would to married or de facto heterosexual couples. I agree with the Attorney-General that, if you want to bring in those sorts of measures, you must do so in a more comprehensive way, not just through other bills. If that is what you want to do, there should be open debate on the matter. Members and the public should be canvassed to see whether they agree with such a measure. We cannot remove such discrimination without first dealing with whether same-sex couples are regarded by the community in the same light.

A few weeks ago, members of this place voted that marriage should be between a man and woman and not extended to same-sex couples. All members voted for that in this place: the motion was carried. If that motion was not extended to same-sex couples, what is the logic of agreeing to the member for Mitchell's amendment which proposes (two weeks later) that same-sex couples should have the same rights as married and heterosexual couples? That is inconsistent. I know I will be criticised by some members, but the reality is that, as a result of this amendment, the taxpayers of South Australia would have to fund those stamp duty concessions. I believe this matter should be properly canvassed before that takes place. Moving this amendment at this stage I think is inconsistent. Although I do not agree with the Attorney-General's intentions, because he is really going down the same path, he has given assurances to the member for Mitchell that the government will deal with it.

The Hon. M.J. Atkinson: He doesn't believe me.

Mr SCALZI: If I were the member for Mitchell, I would put pressure on the Attorney-General, because the member for Mitchell is consistent. I might disagree with the honourable member, but he is consistent, and he is honourable. However, he is mistaken about these issues. For those reasons, I do not support the amendment, and I look forward to debating this issue at a later stage.

Mr HANNA: I am encouraged by the Attorney-General's statement that he is going to bring in comprehensive reforms in September or October this year, I take it. For those who advocate law reform in this area, there is no guarantee that the Greens will support legislation brought forward by the government because, if it reflects the Attorney's views, it may be unacceptable to the community, and that is something that would be the subject of further consultation.

However, there is another aspect to this. If this comprehensive legislation is to be brought in, there is absolutely no harm in allowing this improvement to the rights of same-sex couples in respect of stamp duty to pass, because when the comprehensive law reform package is brought in—to quote the Attorney-General 'to determine the timing'—if there are any loose ends or differences about the definition that need

to be debated, that can all be corrected and superseded when the comprehensive law reforms are brought in.

The fact is that either you support the principle of giving equity to same-sex couples or you do not. If you do, you might as well support this amendment and, if it needs to be improved later, that can happen as part of the comprehensive package of reform across 50 or 60 pieces of legislation. I simply ask every person who wants to see same sex couples have equal civil rights to heterosexual couples in respect of matters such as stamp duty to support this bill.

The committee divided on the new clause:

AYES (4)

Brindal, M. K.	Hanna, K. (teller)
Lewis, I. P.	Redmond, I. M.

NOES (40)

Atkinson, M. J. (teller)	Bedford, F. E.
Breuer, L. R.	Brokenshire, R. L.
Brown, D. C.	Buckby, M. R.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Foley, K. O.
Geraghty, R. K.	Goldsworthy, R. M.
Hall, J. L.	Hamilton-Smith, M. L. J.
Hill, J. D.	Kerin, R. G.
Key, S. W.	Kotz, D. C.
Koutsantonis, T.	Lomax-Smith, J. D.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	McFetridge, D.
Meier, E. J.	Penfold, E. M.
Rankine, J. M.	Rann, M. D.
Rau, J. R.	Scalzi, G.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	Venning, I. H.
Weatherill, J. W.	White, P. L.
Williams, M. R.	Wright, M. J.

Majority of 36 for the noes.

New clause thus negated.

The CHAIRMAN: The member for Mitchell has indicated that he is not proceeding with the rest of his amendments but that he wishes to make a brief statement in relation to clause 4.

The Hon. M.J. ATKINSON: I move:

That progress be reported.

The committee divided on the motion:

AYES (23)

Atkinson, M. J. (teller)	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K.
Hill, J. D.	Key, S. W.
Koutsantonis, T.	Lewis, I. P.
Lomax-Smith, J. D.	Maywald, K. A.
McEwen, R. J.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

NOES (20)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C.	Buckby, M. R.
Chapman, V. A.	Evans, I. F.
Goldsworthy, R. M. (t.)	Hall, J. L.
Hamilton-Smith, M. L. J.	Hanna, K. (teller)
Kerin, R. G.	Kotz, D. C.

NOES (cont.)

Matthew, W. A.	McFetridge, D.
Meier, E. J.	Penfold, E. M.
Redmond, I. M.	Scalzi, G.
Venning, I. H.	Williams, M. R.

Majority of 3 for the ayes.

Motion thus carried.

Progress reported; committee to sit again.

SITTINGS AND BUSINESS

The Hon. M.J. ATKINSON (Attorney-General): I move:

That the time for moving the adjournment of the house be extended beyond 5 p.m.

Motion carried.

STAMP DUTIES (MISCELLANEOUS)
AMENDMENT BILL

In committee (resumed on motion.)

Mr HANNA: I point out that the remainder of my amendments are consequential, and therefore I will not proceed with them. I hope that the procedural imbroglio which we have just been through is not a hallmark of the government to come. Given the Attorney's remarks in relation to my amendment, will he give a commitment that the sweeping legislative reform in relation to same sex couples, which he says is ready to go, will be brought in in September this year?

The Hon. M.J. ATKINSON: I shall.

The Hon. I.F. EVANS: My one question to the Attorney, as promised, is: when the commissioner seeks evaluation on the car and then charges the person the costs of the valuation if the valuation is out by a certain percentage, what is the makeup of the costs that are to be charged to the owner of the vehicle? Is it simply the external valuation cost or is there any government charge added to the external valuation costs that is then charged to the owner of the vehicle?

The Hon. M.J. ATKINSON: Simply the valuation costs. Remaining clauses (4 to 10) and title passed. Bill read a third time and passed.

TOBACCO PRODUCTS REGULATION (FURTHER
RESTRICTIONS) AMENDMENT BILL

In committee.

(Continued from 21 July. Page 2858.)

Clause 16.

The Hon. DEAN BROWN: We were dealing with the matter of cars last night and I was waiting on a definitive answer on that. I was told that I would get an answer when we next resume. The issue I picked up was that of rental cars. We are on clauses 16 and 46, I might add Mr Acting Chairman, as you have come in, Because of the very complex nature of this particular clause 16, which covers four or five different aspects of the bill, we agreed that there would be some flexibility in relation to the number of questions to be asked. I asked, in relation to clause 46(1), whether under 'workplace' this meant that rental cars were picked up. There had been a conference here, and my understanding was that they were going to clarify that position overnight and come back with an answer today.

The ACTING CHAIRMAN (Mr Brindal): I take it that clauses 16, 44 and 45 are generally agreed to. Have we moved on from that, or are we asking questions across the whole section?

The Hon. DEAN BROWN: We are still debating the whole section.

The Hon. L. STEVENS: In relation to the Deputy Leader's comments, in terms of some flexibility in dealing with the clause, I appreciate that there are a lot of issues in this one clause, but I think it is not an infinitesimal proposition of question and answer right through.

The Deputy Leader raised a number of issues, and I must say that I was rather surprised to see the deputy leader in the media today in relation to this matter. He got a number of things wrong. That is not unusual, but it surprised me that when we were in the middle of trying to sort something out he went out. It especially surprised me after he and I made a compact earlier this morning that we would work together in a more cooperative way; then out he goes, straightaway thereafter.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: We had a meeting this morning, if you remember.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Oh, okay, so cooperation only extends bill by bill, and not on a general sense. does it?

Ms Chapman: Get on with it!

The Hon. L. STEVENS: Let's get on with it. Thank you, member for Bragg. I am sure you will assist in the process. The Deputy Leader has raised some important concerns. The definition of a workplace as set out in clause 4 stands as we have passed this clause. There are issues and options in the way in which we could proceed with this. At the moment, the government wants to look at this over the break, and I would again offer to talk to the Deputy Leader about this matter as well in the spirit of cooperation. I would prefer that we had an agreement to do that, and come back when we do the—

Ms Chapman: Tell us what the options are.

The Hon. L. STEVENS: I wonder if the member for Bragg could just remain silent so that we can get on with the job.

The Hon. DEAN BROWN: We are waiting for you to answer.

The Hon. L. STEVENS: Okay.

The ACTING CHAIRMAN (Mr Brindal): Order! I ask the Minister to just answer the question.

The Hon. L. STEVENS: Issues relating to the Occupational Health and Safety Welfare Act concern us. The issue is getting some determinations around that act, because under that act an employer or self-employed person has to take reasonable care to protect his or her own safety at work, and an employer or self-employed person also has to take reasonable care to avoid adversely affecting the health or safety of any other person, not being an employee employed or engaged by the employer or the self employed person through an act or omission at work. That is out of the act. It is not just about odour; it is much more than that. The critical issue is that it constitutes a public health risk. It has been pointed out that components of tobacco smoke, when released into the air, are absorbed by soft furnishings. These toxins are trapped in the fabric and may be released after smoking ceases. There are a range of issues around that in terms of a factor that we should consider in relation to this.

As we pointed at yesterday when we were talking about this, paragraph (d) of the definition of a workplace also gives

the government the power, under regulations, to make exceptions to the definition of a workplace, as we discussed yesterday. The government's position is that we wish to look at this between now and September. We are very happy, in the spirit of cooperation, to work with the shadow minister and other interested members to achieve the result we want.

I might add that we have already discovered that a number of hire car companies are already smoke-free. My information is that Budget rental cars and the State Fleet have been smoke-free for 10 years, and Hertz and Avis have dedicated smoke-free and smoking cars. We will work on this and certainly have something when we come back September.

The Hon. DEAN BROWN: I appreciate the answer given by the minister and some of the thinking behind why, particularly with the smoke that might be absorbed by soft furnishings, it is important that you consider, even if one driver got out of the vehicle and another driver got in, what the impact might be. I wonder how the minister might then relate that particular issue to the fact that you can smoke in a hotel where 70 per cent of a crowd in gambling room might be non-smokers, and where they are inhaling smoke passively across that entire gambling room; what is the impact of that on employees?

The other issue is that of long distance truck drivers. A truck driver in a company truck might drive from here to Bordertown on the way to Melbourne, then get out of the truck or the truck might come back this way. My understanding is that, where you have a driver get out and then another driver take over from a different location, there could not be smoking in that truck in those locations as well. The minister has talked about the importance of not smoking so that the smoke is not allowed to absorb into the soft furnishings because it may affect other people who then come near those soft furnishings. I want to know how the minister relates that to smoking in a gambling room where the whole air is full of smoke and where the around 70 per cent of patrons who are non-smokers (including employees) have to inhale that smoke.

The Hon. L. STEVENS: The government's aim is that by the end of October 2007 there will be no smoking in enclosed spaces, including hotels and gaming rooms. That is clear; we have said it many times. That is our position and I do not think there is much point in going on with that one.

The Hon. DEAN BROWN: I think there is every point, because we need to look at whether this legislation is consistent. In this section we are talking about banning smoking in workplaces, shared areas and public places. The gambling room is all three of those: it is a workplace for the people who have to work there, it is a shared area, and it is a public area. I think it is highly relevant whether we have one standard. I acknowledge that it is a very high standard, and I have offered my congratulations on the fact that there is a high standard for rental cars, company trucks and other company vehicles. However, how does the minister relate that standard to what is an appalling standard in gaming rooms where you can have a whole collection of people, including probably a majority of non-smokers, in a smoke-filled room who are forced to inhale that smoke, not just people coming along afterwards, and doing so for a three-year period—almost three years longer than would otherwise apply? If we are serious about this then we have to have some consistency in this legislation. It is the hypocrisy and the inconsistency that concerns me in all of this.

The relevant clause bans it in some areas and it imposes significant penalties on people who breach that—a maximum

fine of \$1 250 or an expiation fine of \$160, for example, in the workplace. I think there needs to be an explanation from the government as to why they have adopted this double standard. Certainly, there has been no explanation so far from the minister.

The Hon. L. STEVENS: This is our position and it has been well known for nearly a year—since November last year.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Well, the broad position in relation to the phase-in of smoking restrictions in the hospitality sector vis-a-vis the rest has been well known for nearly a year. We are phasing this in in stages over a number of years because we believe that it is the only sustainable way. I suggest that if you do not like it you vote against it. I think that we are just wasting time now because it is quite clear. That is the difference of our positions, so probably the important thing to do is to cease the debate, have the vote, and move on.

Ms CHAPMAN: How, then, are we going to protect employers between October 2004 and October 2007 against action by employees or persons who enter those premises who are exposed to ETS and who are damaged as a result of it?

The Hon. L. STEVENS: That is a question the member could ask the gentleman sitting to her right, as this condition was the case throughout all his time as minister. As I said, smoke-free dining was introduced by the Hon. Dr Michael Armitage in 1995. Nothing happened between then and now under the former minister.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Yes, yes: I know you did. You were so good, I know you were, but you just did not get around to doing these things.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: I know, I know. Anyway, in relation to this, people can do that. And as the member for Bragg probably knows, that is happening around Australia. It is correct that employees and employers, while they continue to have smoking areas, do take a risk. That is happening all around the country and all around the world in relation to this matter. The government has made its decision, and its decision is clear. That is what we are looking at now.

The ACTING CHAIRMAN (Mr Brindal): The committee stage gives members ample opportunity to question the minister. You should not just have a dialogue across the chamber.

Mr SCALZI: I would like to support the deputy leader. This is inconsistent, and I see it as a bandaid measure in the sense that it bans some and aids others, namely the gaming industry. If we are going to be consistent let us do it properly—bring it forward. Do not have bandaid measures which are inconsistent and which help some sectors and not others, and which condemn some workers to unhealthy conditions whilst protecting others. We know that bandaids do not work and that they are only a short-term solution.

The Hon. DEAN BROWN: I move:

Page 9, line 33—Delete '2007' and substitute '2005'

The effect of my amendment is to make 31 October 2005 the cut-off point when gaming rooms, hotels and the casino can have smoking. This is achieved by two amendments. This amendment deletes '2007' relating to section 47 of the original act, temporary exemptions to smoking, which provides:

(1) Until the end of what October 2007, there are exceptions to the smoking ban in bars and lounge areas as follows:

My amendment deletes 2007 and substitutes 2005; therefore, I am bringing this ban forward two years. I asked my previous questions in order to establish the government's argument and defence for allowing it to run out to 2007. Clearly, the government does not have any logical defence at all. We all know that it is a convenient, cosy deal done with the hotel industry. We also know that it is about preserving the money the government receives from gaming rooms. That is what this is about. We heard the fears of the Treasurer on this issue before, when he was scared—

Mr Hanna: And the political parties.

The Hon. DEAN BROWN: And the political parties—and when he was one of those who, when the task force reported, said that he would not accept it. He did not like the outcome, and he was concerned about what would happen to the government's own dollars coming from poker machine revenue. I find it absolutely unacceptable that we as a parliament should throw out the principle that the most important thing is people's health and, instead, say that the most important thing is the money coming from poker machines into the government's own pocket—and that is the principle driving this.

We are prepared to sacrifice the health of employees working in gaming rooms and bars, and we are prepared to sacrifice the health of the non-smoking public in these areas. We are prepared to subject them to passive smoking, knowing that it will increase their risk of heart disease, a range of cancers, diabetes and other such diseases. What the government fails to understand is that if it took a tough line here the reduced cost of health care could well be more than the revenue it would lose from the poker machines. In fact, there is no proof that it will lose any revenue from poker machines at all. Therefore, I move this amendment as one of the most important amendments.

I presented to this house a range of petitions collected last year by the Cancer Council and the Heart Foundation. They wanted the ban to operate from March 2004 and, certainly, I was one of those willing to support that. I put some petitions in my office, and I gathered a large number of signatures. Clearly, there was an overwhelming feeling that people wanted this measure sooner rather than later—as there was where we introduced smoke-free dining in this state. People have seen the benefits of smoke-free dining. I object to the extent to which this government has put the protection of the revenue it gets from poker machines into its own pocket its No. 1 priority; therefore, I moved the amendment standing in my name.

The ACTING CHAIRMAN (Mr Brindal): The member for Reynell might be in this chair one day, and I suggest that she be as abstemious with her interjections as I am.

Ms THOMPSON: I do not know whether I can make that many in a day! I am really quite amazed by the assertions made by the member for Finnis in his last contribution. As I pointed out at the second reading stage, during the period of his stewardship of this area, we went from leading Australia to lagging behind Australia. He also mentioned petitions from various health organisations. We have all received those petitions, but we have all subsequently received a letter from the AMA, the Asthma Foundation, the Cancer Council and the Heart Foundation, all esteemed organisations within our community. We know that they are committed to health, to eliminating smoking as an activity in

our community, and that they would like to see everybody give up smoking, but we also know that they want to see this done in a mature way that is likely to be successful. These esteemed organisations recognise the contribution that will be made to health in South Australia under this bill and have decided that they can support it, and they urge members to do so. Their letter states:

The bill proposes a phase-out of smoking in steps leading to smoke-free premises by 31 October 2007. We campaigned for a shorter time period for the introduction of smoke-free hospitality. In our view the intermediate restrictions will do little to prevent the continuing damage to the health of workers and customers. Despite this, we are pleased to see that a specific date has been set, and that there will be no exemptions. Since the provisions of the bill are so comprehensive, we have agreed not to oppose the timetable for the phase-out.

Perhaps it would be wise for the member for Finnis, who did nothing about this matter during his period of stewardship, to listen to this wise counsel.

Mr Scalzi interjecting:

Ms THOMPSON: The member for Hartley interjects that the member for Finnis started it all. He did not start it all: he ignored a report from WorkCover that was commissioned during his period as minister for human services. WorkCover convened a group to look at the implications of insurance decisions relating to passive smoking. The report was conveyed to the then minister for human services, who did absolutely nothing with it. In fact, it was so far buried that it was considerably into the time of the task force working party before it was extracted. The former minister for human services did a very good job of burying this issue and going from leading to lagging behind and doing nothing. Now he wants to stand up here and take this pious 'I am wonderful, I do everything perfectly' stance.

This government is committed to the introduction of considerable reforms in many areas. In all areas, it seeks to build support, to engage stakeholders, and to find a process that will enable everybody to go forward together, not to impose mad solutions on people before they are ready for them. It does not want to even impose sensible solutions on people before they are ready for them, because when people have an addiction the situation is very unfortunate.

However, we must recognise that we are dealing with smokers, people with the most serious addiction that the medical community has encountered. We are telling these people that they have to indulge their addiction where it does not affect others. They have been allowed by the previous government and governments before that, by society, to do this for hundreds of years. We consider that developing a sensible education program involving gradual restriction of areas in which smoking can take place in hotels and clubs will assist people to deal with this problem. During this period, they will be helped to quit smoking, and we hope that many of them do.

The Cancer Council is gearing up to provide help for these people who we hope will be encouraged to quit during this period. We keep hearing from some members opposite that they do not understand why we are reducing things gradually because smoke does not respect boundaries. We have explained again and again that this is an important educative measure. The one metre line is the only measure being taken in some jurisdictions in Australia. We are not just thinking about it: we are introducing a comprehensive program which, it has been agreed by the major stakeholders, will lead to a satisfactory outcome, and they will go to considerable expense to ensure that it does. We have to stick to the

timetable that has been agreed after considerable consultation. It is not what I wanted: clearly, I wanted something else, but we have to take account of the viability of the industry. This is an important industry in our community, and these very important health organisations recognise the maturity of the decision that has been taken, and I hope that members opposite will too.

The Hon. L. STEVENS: I would like to spend some time addressing the points made by the deputy leader and putting some things on the record about his efforts to deal with smoking restrictions. I think it is important for people to hear this. Smoke-free dining was implemented almost two years after the 1997 bill was passed. The deputy leader has been pontificating and lecturing me about how we have delayed and how we are not serious. It took two years after the bill was passed in 1997 under Dr Michael Armitage for it to be implemented in 1999—a two year lag. Not only that, smoke-free dining under the former minister allowed for exemptions, and those exemptions are still in effect today. Some restaurants still have smoking and non-smoking areas some seven long years after the introduction of the legislation.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Unfortunately, you are wrong; you have not read the bill. The exemptions go for dining, except for the one bar that is allowed to have dining. The exemptions that are currently in place disappear on 31 October this year. We have tidied up the little anomaly that has been in operation for seven years. There is often a degree of difference between the reality of the situation and what the deputy leader says. I am informed that today there are 211 exemptions operating—

Ms Thompson: How many?

The Hon. L. STEVENS: There are 211 exemptions in operation.

Ms Thompson: How many of those were granted when he was minister?

The Hon. L. STEVENS: I do not have that figure, but a substantial number. Currently, there are 211 smoke-free dining exemptions in operation, but they will be removed by 31 October this year. The other thing I point out is that section 40 of the principal act talks about certain advertising being prohibited. Members might be interested to know that, under the deputy leader, the regulations pertaining to that section of the principal act were never written. As a consequence of this inaction by the previous government, point of sale advertising and display restrictions have been impossible to enforce since 1997—again, another seven years of inaction by the deputy leader. It is important that we look at the whole picture in terms of the deputy leader's efforts in relation to restrictions on smoking.

In relation to the bill, the government believes that the phase-in process is the best way of balancing the competing forces of protecting workers and patrons from unwanted and unreasonable exposure to tobacco smoke and addressing the concerns of the industry about protecting the financial viability of pubs, clubs and, most importantly, jobs. Careful consideration has been given to ensuring that particular businesses are not unfairly disadvantaged. I remind members that we are the first state in this country to have drawn a line in the sand and have a cut-off date. The decision was reached after considering the recommendation of the hospitality smoke-free task force and the views of various stakeholders, including industry, health groups and unions, after extensive public consultation. Phased-in restrictions and a comprehen-

sive awareness and education campaign will give businesses and the community more than adequate time to prepare for and adapt to these changes.

This demonstrates a balanced approach and a commitment to a sustainable reform process. We are very committed to seeing this through. I believe that again we have unprecedented support and willingness from union, industry and other stakeholders to work with us to achieve this according to the time lines. The member for Reynell mentioned the health sector, groups such as the Cancer Council, the Heart Foundation, the Asthma Foundation and others. I know that they would have preferred an earlier introduction of smoke-free zones, and so would I as health minister. However, they have also said that this is not just about environmental tobacco smoke. This is a very comprehensive package and a package which covers so many aspects. They have got behind it because they know that we will achieve it, and we will do it with them as we have done all along.

The ACTING CHAIRMAN: Before calling the member for Hartley, can I say that, of necessity, the debate in the committee stage is wide ranging and the chair is given some discretion on these matters. While it is not desirable to curtail the debate, I draw member's attention to the fact that this is the last day of sitting and I do not think anyone wants to be here unnecessarily until 5 a.m. or 6 a.m. Therefore, I remind all members—and I am not singling out anyone—that it might be helpful at this stage if we stick to the relevance of the debate rather than recriminations, and I will tend to rule accordingly unless someone else wants to take the chair.

Mr SCALZI: I do understand, as the minister has said, that they have put a line in the sand for 2007 and, in comparison to other states, that might be a very good thing. I do agree with the minister that she is dealing with the 211 exemptions, but anyone who looks at this objectively would have to agree that something which involves health is better to be brought in sooner rather than late, that is, in 2005 rather than 2007. Logic would tell you that. In other words, we are putting the rights of certain workers on a waiting list to deal with the health problem. That is what it is.

An honourable member interjecting:

Mr SCALZI: Yes, it is a good one, because it is true. You said for two years, and I agree with the minister's saying that the Cancer Council and the Heart Foundation have agreed to 2007. The minister said that they would have preferred it earlier. They supported it. You get rid of 211 exemptions but you have 730 penalties for every day of the two years to make people wait to have them in smoking rooms and put their health at risk. I cannot understand why some workers should be protected and others not. I also note that this bill is not a conscience vote for members opposite. The 300 reduction in poker machines in another bill is a conscience vote. There seems to be a connection here—

Ms Thompson: Not 300, 3 000.

Mr SCALZI: Yes, 3 000. Thank you, the member for Reynell. I am getting a bit tired. One would have to ask: is there some sort of agreement? We will give you a conscience vote, bring down the 3 000, but keep these measures for another two years—another 730 days—where workers in certain industries are to be subjected to smoke and have their health put at risk. That is the reality. As I said previously, it is bandaid measure. It bans some in restaurants and aids the hotel industry with the gaming rooms. It is a short measure. We now know the harmful effects of passive smoking. The evidence is more conclusive now than it was two years ago or 10 years ago. If the opposition had a position of 2008, I

would cross the floor and vote with the government because, for one year—365 days, 365 reasons—where workers and patrons would not be subjected to putting their health at risk, it would be worth crossing the floor.

If I care about people’s health and workers, logic and reason would have to tell me that 2005 is better than 2007. This is a measure that should be brought forward, because the evidence about passive smoking is more conclusive now than it was two or five years ago. So, why are we waiting? Because we have a deal with the hotel industry: we will give you 3 000 poker machines but we will allow you to have smoking in those areas. Can members opposite tell me that that is not the truth?

Mr HANNA: I was going to move an amendment to bring forward the date upon which these restrictions on tobacco smoking would apply in respect of licensed premises, and I would have brought it forward to a date even sooner than that put forward by the deputy leader. But I am content to go with the amendment moved by the deputy leader.

One of the sad things about the debate on this point is that the Liberal Party is considering it a conscience vote because it deals with restrictions on the use of a drug, whereas for the Labor Party it is a bloc vote. That makes it very difficult, of course, for there to be any result other than the Labor leadership’s preferred position. I will not be moving my amendment, for the reasons that I have outlined.

The committee divided on the amendment:

AYES (10)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C. (teller)	Chapman, V. A.
Hanna, K.	Lewis, I. P.
Matthew, W. A.	Meier, E. J.
Scalzi, G.	Venning, I. H.

NOES (29)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Buckby, M. R.
Caica, P.	Ciccarello, V.
Conlon, P. F.	Evans, I. F.
Foley, K. O.	Geraghty, R. K.
Goldsworthy, R. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hill, J. D.
Kotz, D. C.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K. A.
McFetridge, D.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Redmond, I. M.	Snelling, J. J.
Stevens, L. (teller)	Thompson, M. G.
White, P. L.	Williams, M. R.
Wright, M. J.	

PAIR(S)

Gunn, G. M.	O’Brien, M. F.
Kerin, R. G.	Weatherill, J. W.
Penfold, E. M.	McEwen, R. J.

Majority of 19 for the noes.

Amendment thus negatived.

Mr HANNA: The simple point to make about the one metre rule, or even any other arrangement that the government is yet to prescribe, is that smoke cannot read. On the face of it, it appears to be quite implausible to create artificial rules about where you can and cannot smoke within the one space in which air circulates.

The Hon. L. STEVENS: In answer to the member for Mitchell, I did address this issue earlier, in my second reading speech, I think. This is quite clearly not a health issue,

because smoke does move about. This is an issue about the comfort of patrons and staff, and it is an educative measure which signals, straight away, that things are changing. It is a behavioural change in a position that heralds that things are changing in relation to smoking behaviour in licensed establishments. That is what it is about.

The Hon. DEAN BROWN: I support the amendment relating to a prescribed area. I think we should be aware of how this is going to read in terms of anyone trying to interpret it. As an example, new section 47(1)(b) will read as follows:

- (b) in licensed premises (other than the casino) with a single separate bar, the ban does not apply in an area of the bar designated in the prescribed manner by the licensee as a smoking area or in separate lounge areas designated in the prescribed manner by the licensee as smoking areas if—
 - (i) the [prescribed area] is excluded in the prescribed manner from any designated smoking area;

Before going on to subparagraph (ii), you then look at the definition of ‘prescribed area’:

- 5(a) For the purposes of subsection (1), the *prescribed area* is the area within 1 metre of any service area.
- 5(b) However, if a bar has a continuous fixed wall surface (whether or not including doors or windows) that, within 3 metres of the drinks service counter, borders the public area alongside not less than 75 per cent of the length of the drinks service counter in the bar—
 - (a) Subsection (5a) does not apply in relation to the bar; and
 - (b) if the bar is a bar referred to in subsection (1)(a) or (c), the *prescribed area* in the bar is an area that is not less than 25 per cent of the total area of the bar and adjoins not less than 25 per cent of the length of the drinks service counter in the bar.

Then we come back to subparagraphs (ii) and (iii), which provide:

- (ii) any designated smoking area in the bar does not exceed 50 percent of the total area of the bar and adjoins not more than 50 per cent of the total length of the area referred to in subparagraph (i) alongside the drinks service counter in the bar; and
- (iii) any dining area in the bar consists of or includes the part of the bar not within the designated smoking area; and
- (iv) no more than 1 of the designated smoking areas consists of or includes a dining area;

I can tell you that you would have to be a mastermind to be able to comprehend what all that means, because that is what will apply in some areas. Paragraph (b) talks about 75 per cent of the length of the bar. Subparagraph (ii) refers to 50 per cent of the total area of the bar. We will have a ban relating to 25 per cent of the bar, or people will be allowed to smoke in 75 per cent of the bar but not in the other 25 per cent of it. But you can smoke in 50 per cent of the designated smoking areas, depending on the circumstances under which all this falls. The fact is that it is virtually impossible for anyone to understand. I believe that is what the government clearly wants. There will be absolute confusion, and it will lead to the bar reaching something for their own convenience and, effectively, that means smoking as long as they can suddenly say ‘Here is 75 and 25 per cent, and here is 50 and 50 per cent’. That is, in fact, what would occur. I will not debate the point at one minute to six, as I do not think there is time to handle it. I wonder whether the minister has actually put what is a prescribed area into that—

The Hon. L. STEVENS: Yes, we have.

The Hon. DEAN BROWN: And worked through the wording, realising that we are talking in the one clause about

75 and 25 per cent, and 50 and 50 per cent—all in the same area.

The Hon. L. Stevens interjecting:

The Hon. DEAN BROWN: It shows the extent to which this government is just trying to play with words and areas to allow a continuation of smoking in hotels for the next three and a bit years.

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

The Hon. DEAN BROWN: Mr Chairman, I draw your attention to the state of the committee.

A quorum having been formed:

Mr HANNA: I move:

Page 10, lines 37 to 41—Delete subclauses (2)(a) and (2)(b).

Those who wish to further restrict the use of tobacco products relative to what is already contained in the government proposal have lost the battle to bring hotels under a similar regime as other work places. I have already spoken about the disgraceful reasons for that. I do have a fallback position, and that is to immediately bring into effect the government's tobacco product restrictions in respect of the gambling areas in which poker machines are played. The deletion of subclauses (2) and (3) will mean that the restrictions which the government says are necessary for health reasons will at least come into effect in respect of what are called, in the legislation, 'gaming areas', or, in anyone else's language, gambling rooms or pokies rooms. That is important for health reasons, and no doubt the Hon. Nick Xenophon would also say that it is an essential action we can take in order to discourage people staying in those places for longer than they ought to and for longer than their pockets allow. I will not go into the broader socioeconomic effects of pokies gambling; the points have been well made by the Hon. Nick Xenophon. This is only one small measure in terms of tackling that issue, but it will have some positive effect. I ask members for their support in respect of keeping smoking out of gambling rooms.

The Hon. DEAN BROWN: I would appreciate some clarification. Mr Chairman, I think it would help if we could have one conversation at a time.

The CHAIRMAN: Order, the member for Unley!

The Hon. DEAN BROWN: As I understand it, the purpose of this amendment, effectively, is to say that there can be no ban. Subsection (2) will be deleted and, therefore, what has been previously put in subsection (1) will, in fact, be operative immediately from 31 October 2004. If reference to 2005 is deleted, whatever applies to 2007 will operate as of 31 October 2004. Will the minister clarify that point?

Mr HANNA: I am happy to clarify that for the deputy leader. At this point, two amendments are on file in relation to this proposed licensed premises exemption: mine is to take gaming areas completely out of the exemption (and I will explain how it does so); the other is the deputy leader's amendment, which takes gaming areas out of the exemption after October 2005. We have voted on the question of licensed premises generally from October 2005, and the deputy leader's amendment in that regard was lost.

We are now talking just about gaming areas. If the deputy leader looks at proposed new section 47, he will see that subsection (1) deals with licensed premises in respect of bars. But, under the definitions section of the proposed new section, 'bar' does not include 'gaming area', and that is why gaming areas are given separate treatment within the new

section. My amendment takes gaming areas out of the new section altogether, which means that the exemption will not operate in respect of gaming areas at all. Therefore, when the enclosed workplaces ban comes into effect, it will come into effect also in respect of gaming areas. I hope that satisfies the deputy leader's inquiry.

By way of summary, if we take out the references in subsections (2) and (3), which deal with gaming areas, then although the licensed premises argument has been lost, and they get a free kick until 2007, gaming areas are caught immediately. That is the intention of the amendment.

The committee divided on the amendment:

AYES (5)

Brown, D. C.	Hanna, K. (teller)
Matthew, W. A.	Meier, E. J.
Venning, I. H.	

NOES (28)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brindal, M. K.
Buckby, M. R.	Caica, P.
Chapman, V. A.	Ciccarello, V.
Conlon, P. F.	Evans, I. F.
Geraghty, R. K.	Goldsworthy, R. M.
Hall, J. L.	Hamilton-Smith, M. L. J.
Hill, J. D.	Key, S. W.
Kotz, D. C.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K. A.
McFetridge, D.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Snelling, J. J.	Stevens, L. (teller)
Thompson, M. G.	Weatherill, J. W.

PAIR(S)

Scalzi, G.	O'Brien, M. F.
Gunn, G. M.	White, P. L.
Penfold, E. M.	McEwen, R. J.
Williams, M. R.	Wright, M. J.

Majority of 23 for the noes.

Amendment thus negated.

Mr BROKENSHIRE: Mr Chairman, three members of the house were excluded from the vote because the Treasurer's staff were using the lift during the ringing of the bells. The member for Heysen, the Leader of the Opposition and I were not able to access the lift. Whilst this government might have bought its way into government, it does not own the parliament.

Members interjecting:

The CHAIRMAN: Order! It would not have altered the outcome, but the point is that the lifts should not be used when the division bells are ringing.

Mr HANNA: On a point of order, Mr Chairman, is it advisable to inform the member for Mawson about his right to move that the vote be recommitted?

The CHAIRMAN: Order! Because the vote is so clear-cut it would make no difference to the outcome. If the members who feel they were denied a vote wish to approach the table, the record can be corrected, but it will not alter the outcome.

The Hon. M.D. RANN: I can see that the member for Mawson is quite emotional and distressed about this. I suggest that his name be recorded so that he can sleep easily tonight, and also the other members who missed.

The CHAIRMAN: Order! The Premier is out of order because he is out of his seat. If the members who felt they

were excluded from the vote wish to approach the table the record can be amended to incorporate that fact.

The Hon. L. STEVENS: I move:

Page 10, lines 42 and 43 and page 11, lines 1 and 2—

Delete paragraphs (b) and (c) and substitute:

(b) in the case of a gaming area in which gaming machines may be operated (not being the casino)—

- (i) the designated smoking area contains no more than 75 per cent of the gaming machines in the gaming areas; and
- (ii) the gaming machines not in the designated smoking area consist of a single row or grouping of machines separated from the designated smoking area by not less than one metre; and

(c) in any other case—the designated smoking area does not exceed 75 per cent of the total area of the gaming area.

Page 11, lines 8 to 11—

Delete paragraphs (b) and (c) and substitute:

(b) in the case of a gaming area in which gaming machines may be operated (not being the casino)—

- (i) the designated smoking area contains no more than 50 per cent of the gaming machines in the gaming area; and
- (ii) the gaming machines not in the designated smoking area consist of a single row or grouping of machines separated from the designated smoking area by not less than one metre; and

(c) in any other case—the designated smoking area does not exceed 50 per cent of the total area of the gaming area.

Amendments carried.

The Hon. L. STEVENS: I move:

Page 11, line 35—

Delete all words in this line and after paragraph (b) insert:

or

(c) an enclosed public area in which a bingo session is being conducted under a licence or exemption under the Lottery and Gaming Regulations 1993;

I have spoken about this amendment previously. It will extend the smoking phase-in to bingo sessions which are being conducted under a licence or exemption under the Lottery and Gaming Act regulations 1993. It is exactly the same as the deputy leader's amendment. A number of groups under the banner of Charities SA wrote to the government. I might also add that a number of groups which run smoke-free bingo also wrote to us asking us to give them a level playing field and make it all smoke free. However, we have decided that—

Ms Chapman: Name them.

The Hon. L. STEVENS: Bedford Industries, for a start. On the grounds of consistency, the government has decided to allow them the same phase-in period as licensed establishments. As I have said previously to those groups, the government believes that they do need to address the issues of smoking. Certainly, we will be making available to them the support which we are making available to everyone covered under this bill to enable them to do the awareness raising and other information in order to move towards a smoke-free situation as soon as possible and, in any event, by 31 October 2007.

The Hon. DEAN BROWN: Mr Acting Chairman, can we have some quiet in the gallery? It might help.

The ACTING CHAIRMAN (Mr Caica): Order! I ask members sitting on the crossbenches to remain silent while this debate is occurring.

The Hon. DEAN BROWN: I support this amendment because, after all, it is identical to my amendment and it is based on the proposal I put forward last weekend. The minister has raised the point that a number of charities such as Bedford Industries have said that they would like to have

a level playing field; that is, no smoking is enforced at bingo evenings immediately. I am willing to support that, if the minister is now willing to ensure that any bingo evening in a hotel is not allowed to have smoking, either. If members look at the letter sent by Glenn Rappenberg of Novita Children's Service, at the end of the letter he put as an option—

The Hon. L. Stevens: I have not got it.

The Hon. DEAN BROWN: He sent you a letter. I highlight the fact that Glenn Rappenberg, on behalf of Novita Children's Services, sent a three-page letter to the minister, and he sent a copy of that letter to all members of parliament, and that is why I am able to say what is in the letter. Every member of parliament received a copy of it. I think it was sent on either Thursday or Friday of last week. In that letter, he highlights the fact that he wanted to be put on a level playing field with bingo evenings in hotels. I do not think I have a copy of the letter here. He said that if the minister could not see fit to allow them to have smoking up to the end of October of 2007, as hotels have been allowed, he was willing to look at the alternative, which was to cut off hotels immediately in the same way as bingo would be cut off outside hotels.

If the minister feels strongly about that point, and I certainly do, because that will mean that we will cut off smoking in all bingo sessions both inside and outside hotels at a much earlier date, I am happy to support that. If she is really serious about the comments she has just made, I stress the fact that I am prepared to support it. All I want to see and all Novita wants to see is a level playing field both inside and outside hotels and, because I want to see a reduction in smoking and the opportunities for smoking within our community, from my perspective the sooner we do that the better. Therefore, if the minister is willing to move that all bingo sessions as at the end of October of this year should be banned from smoking, I am only too willing to support it.

The minister can be assured that she will have my support, and therefore with her consolidated vote (because we realise that the Labor Party has been locked in on this without a conscience vote and they are absolutely bound to support it, regardless of what they might individually think), that would clearly go through. That would be good, because it would make sure that smoking was cut out in a very substantial area, which is the bingo areas.

I highlight the fact that the minister answered a question of mine on this issue and talked about the fact that there was some advantage in making sure that smoking was stopped in bingo sessions sooner rather than later. If the minister is serious about the answer she gave me, if she is serious about what she just said to the house, she will in fact move that amendment.

The Hon. L. STEVENS: I have not seen the letter from Novita. We will follow that up and have a look at it. I am not going to move away from the amendment that I have moved. I have written to Charities SA and made the position clear, and I will not change it at this late stage.

Amendment carried.

The Hon. L. STEVENS: I move:

Page 11, after line 37—

Insert:

Licensee includes a person conducting a bingo session under an exemption under the Lottery and Gaming Regulations 1993;

This amendment is consequential.

The Hon. DEAN BROWN: They are both important.

The Hon. L. STEVENS: That is right. But they go together.

The Hon. DEAN BROWN: I will indicate my support for this amendment, because they both go together. If we are setting out to achieve what we originally talked about, we need to support both amendments. I stress the fact that, if the minister would like to give it further thought, and when the bill goes before another place, I am still willing to make sure that there is some support for that amended position that cuts off of all smoking in all bingo sessions right throughout the state sooner rather than later.

Amendment carried.

The Hon. L. STEVENS: I move:

Page 12, after line 8—

Insert:

- (5a) For the purposes of subsection (1), the prescribed area is the area within one metre of any service area.
- (5b) However, if a bar has a continuous fixed wall surface (whether or not including doors or windows) that, within three metres of the drinks service counter, borders the public area alongside not less than 75 per cent of the length of the drinks service counter in the bar—
- (a) subsection (5a) does not apply in relation to the bar; and
- (b) if the bar is a bar referred to in subsection (1)(a) or (c), the prescribed area in the bar is an area that is not less than 25 per cent of the total area of the bar and adjoins not less than 25 per cent of the length of the drinks service counter in the bar.

This amendment simply describes the prescribed area in relation to clause 16(1). It makes a special consideration in subclause (5b)(b) for establishments in licensed premises that might have what is called a tram track bar; a narrow bar that is less than three metres.

Ms Thompson: Like the Exeter.

The Hon. L. STEVENS: Yes—and the Arab Steed, I think, is another one. We have taken this on board after discussions with the AHA, which pointed out that there were particular difficulties in the design of some bars. If they were the designated smoking bar, the one metre back from the counter would mean that people would be stuck almost against the back wall. That is what this amendment is about, and I urge members to support it.

Amendment carried.

The Hon. DEAN BROWN: I note that, under new section 47(2)(a) there was no amendment to deal with the one metre rule. Was that a deliberate decision?

The Hon. L. STEVENS: There is an amendment. Can the deputy leader point to it? I do not know what he is saying. As far as I am concerned, it is quite clear. I do not understand the problem.

The Hon. DEAN BROWN: I do not have a problem: I am just asking a question. Under new section 47(2)(a), where it refers to the one metre area, there was no amendment to that area make it a prescribed area.

The Hon. L. STEVENS: I think that has already passed.

The Hon. DEAN BROWN: No, it has not.

The Hon. L. STEVENS: It was in the group of clauses, I think, No. 4.

The Hon. DEAN BROWN: I understand that this is a service area in a bingo area, and I pointed out that there had been no amendment to bring in prescribed areas on that service area. I was not sure whether it was a deliberate move by the government or not. I was clarifying the point where in service areas in gaming rooms, whether the one metre rule will apply no matter what. Can the minister answer that question? Was it a deliberate decision not to amend bar areas and put in prescribed areas in gaming rooms?

The Hon. L. STEVENS: Only bars have got prescribed areas. Gaming areas have got the one metre.

Clause as amended passed.

New clause 16A.

The Hon. R.B. SUCH: I move:

Page 12, after clause 16—Insert:

16A—Insertion of section 70

Before section 71 insert:

70—Confiscation of tobacco products from children

- (1) A prescribed person who becomes aware that tobacco products are in the possession of a child apparently for the purpose of consumption by the child may require the child to deliver the products to the prescribed person.
- (2) A child must comply with a requirement under subsection (1).
- Maximum penalty: \$75
Expiation fee: \$30
- (3) If tobacco products are delivered to a prescribed person in response to a requirement under subsection (1), the products are forfeited by the child and must be destroyed as soon as reasonably practicable by the prescribed person.
- (4) In this section—
prescribed person in relation to a child means—
- (a) a member of the police force; or
- (b) any other authorised officer under Part 5; or
- (c) an authorised person under Chapter 12 Part 3 of the Local Government Act 1999; or
- (d) a teacher at a school attended by the child.

I move this amendment with some passion because we have measures in this bill and in other areas of the law relating, for example, to selling tobacco products to children, of them purchasing and so on, and yet the current practice is to allow them to smoke their head off in front of the shop where they are not allowed to buy them, and should not be buying tobacco products. I find that rather bizarre, and I think that at the moment, in effect, government and society is condoning children smoking tobacco products in a public place and turning a blind eye to it. If the children were harming themselves by slashing their wrists or smoking marijuana, or sniffing petrol, there would be some action taken. We know that tobacco kills people. We know that it is going to kill some of these children when they become adults—if not sooner—and yet we say, ‘That’s okay. Let them continue.’ It sets an example to other young people who are out with their parents, and they say to their mum or dad, ‘Look at that person smoking; I can do it too.’ What a bad look that provides.

We have had debate in here recently about child abuse. I think that this is a gross form of child abuse. We have an absolute responsibility to ensure that children are protected, often from themselves. And yet throughout all these measures we want to punish shopkeepers and people who sell products of tobacco to children, and that is appropriate. We do not want to put any onus or responsibility on the people smoking. We say, ‘Go for it. You’ll be able to smoke in Rundle Mall, shopping centres, wherever you like, without any action taken against you.’

What I am proposing here, I believe, is a reasonable measure because there is no penalty for having the tobacco product if you are a child other than it will be taken off you. The only penalty is if you do not hand over the tobacco product, in which case it is a modest \$30 expiation fee and a maximum penalty of \$75. So, it is not a draconian measure

but it sends a signal that the community, and one would hope the government, and the parliament, does not condone children smoking tobacco products which are harmful, which we know are harmful to their health.

I plead with members to consider this measure and to support it. If they do not believe that it is perfect, then amend it or come up with something else. I have not seen anything come from within the bureaucracy or government which tries to address this issue. It is: turn a blind eye, she's okay, young people can smoke and we will worry about it later, or try and deal with it in education. Those measures have failed. If you go any day in front of high schools and private schools and all through the city and in the suburbs and elsewhere you can see children in uniform smoking their heads off, and nothing is done about it and nothing can be done because no-one is prepared to do anything about it.

I want to see something done because I do not want to see people suffering from emphysema and other related tobacco diseases, and for us to have done nothing about it. We have an absolute obligation to protect children and we sometimes have to do things to protect them from themselves because they do not have the wisdom and the knowledge to do that. I think that parents would welcome this. It was interesting when talking to someone from the media who frequents this building, and I will not name the person, who is a smoker, and she said it is a good measure, because this could help save the life of someone who otherwise would get hooked on it. What you are doing by tackling smoking by children is getting rid of the poor example, the public example, that is sending a message to others that it is okay to smoke in public if you are a child. Yet, ironically, and I support this, it is illegal to buy the tobacco but you can stand in front of the shop and smoke your head off if you are a child. That to me is bizarre and it sends a very bad message as well as helping to ensure that the people who get hooked as children continue into adulthood as addicted smokers and, as a result, will ruin their life and that of others. I urge members to support my amendment.

Ms THOMPSON: The member for Fisher has been his usual creative and passionate self in bringing this measure before the house. He has long demonstrated his commitment to the wellbeing of young people, and he is frequently innovative in the way in which he brings measures forward for our consideration in protecting young people, and promoting their general health and wellbeing. I commend him for his commitment and passion.

However, I am not able to support this amendment for a number of reasons. One is that it involves many organisations in the enforcement of this measure that have not been consulted, and it also involves the issue of young people in our community. I believe that members of the police force, authorities under the tobacco legislation, local government which has authorised persons under chapter 12(3), and teachers need to be consulted about how to implement any measure like this before it is brought in. I would expect that, indeed, the Commissioner of Police and the police association would not be very happy to read tomorrow that they are now to change the nature of their relationship with young people and start seizing cigarettes from them.

In areas where there are a number of young people smoking, there are often other problems with these young people and their relationship with police. We all know that, unfortunately, there is more smoking in areas of disadvantage, and there are often tensions between police and young people in those areas. We need to be careful and, on the basis

of consultation, give public warning and notification, move in a planned and well publicised manner before we start undertaking these activities.

Similarly for schools, those in my electorate have policies at the moment relating to smoking in the schoolyard. Certainly, the teachers are frustrated by the fact that students blatantly smoke outside schools at times. I know that the schools get a number of complaints from the community about young people standing around the street not far from the school, and so on, smoking. Unfortunately, smoking is not all that they are doing at times. So, it is important that, if we are to change the rights of young people in these matters and involve others in the enforcement of this change in rights, it be done with consultation.

Another matter that concerns me about this—and I have mentioned this problem in the house before—is that the whole progression from youth to adulthood, and the rights and responsibilities that young people have during the transitional period is very confused. Young people can apply for a learner's permit at 16. They are, therefore, put in control of a very lethal and dangerous vehicle which can be used as a weapon. We know that too many young people, in fact, either accidentally or deliberately kill themselves and others using cars. So, that is one right they have at 16. They also have the right to engage in sexual intercourse, and they have rights in relation to abortion at 16. These are very important decisions for young people to make.

I consider that we need to re-examine where it is appropriate for young people to have rights and responsibilities in that time between 16 and, I consider, 21 years of age. We have given young people a lot of rights at 18. That was all right when 18 year olds were out in the work force and had considerable life experience. It is sometimes more challenging for young people still at school to take on those responsibilities at 18. I am not suggesting that we should take them away. Indeed, I have noted that a major topic of debate in youth parliaments over the years since I have been in this place has been to extend to 16 years of age the right to vote for young people. I have noticed that every time, I recall, the answer on that from the people themselves has been 'no,' but it keeps on being a topic for consideration.

There is a need for us to revisit the transitional period for young people. There is also a need for us to implement changes to the rights of any group in our community on the basis of consultation. There is also a need for us to introduce measures that will require important people in our community, such as police and teachers and, indeed, health inspectors to be able to have a say about measures that they might be required to implement, particularly when these measures may be at odds with other objectives they have.

I again commend the member for Fisher for his vigour in relation to protection for young people and support for their parents. I note that he previously introduced a similar bill and did not get very far. I therefore suggest that he might introduce it earlier in the session next time so that it does not fall off the *Notice Paper* so easily. Admirable as the sentiments are here, and as much as I support them at one level, I cannot support the implementation strategy.

The Hon. L. STEVENS: I also want to acknowledge the intent of the member for Fisher in putting this amendment, and acknowledge that he wants to achieve protection of children and, certainly, in relation to recruiting them to smoking. We know, of course, that if a child gets to the age of 18 and has not taken up smoking, there is a good chance

that they will not do so. So it is a very important issue in terms of preventing the uptake of smoking by children. However, I too am concerned that this measure has unintended consequences, and I am very too happy to talk further with the member for Fisher during the break in relation to this issue and how it might be addressed.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: Just sit and listen and you will hear. I want to put some information on record so that people know the situation. In 2003 information in relation to smoking rates in South Australian schoolchildren, which came from the 2002 Australian School Students Alcohol and Drug Survey, were published. The key results were as follows:

- Smoking rates are dropping amongst South Australian young people and are the lowest ever recorded.
- Smoking rates have virtually halved in the two decades from 1984 to 2002.
- While smoking rates amongst girls peak earlier than amongst boys, smoking rates are virtually the same amongst 16 to 17 year olds, and as they progress into adulthood boys and men are more likely to smoke than girls and women.
- Experience of smoking increases with age. Among 12 year olds, 74 per cent of boys and 84 per cent of girls have never smoked at all. By the age of 17, 56 per cent of boys and 65 per cent of girls have at least tried smoking.
- In relation to regular smoking rates (and that refers to whether they have smoked within the last week), in 2002 13.8 per cent of 12 to 17 year olds were current smokers. In 1999 it was 15.9 per cent, and in 1984 it was 24.3 per cent.

The data is showing that there has been a drop in smoking rates amongst young children: however, that does not mean that we no longer have a problem. In fact, the government is committed to reducing smoking amongst young people—it is part of the state's strategic plan that we will be held accountable for. We have to achieve a reduction of 10 per cent in smoking by young people within 10 years. So, this issue is of concern to us.

However, in relation to the member for Fisher's amendment I have been advised that international best practice says that if you are working on this issue you need to get in place your package of other measures—the very measures that we are putting in our bill. These need to be put in place, and only then would you look at something like this. In other words, you get the proactive issues in place first.

This is where I come to the unintended consequences, and I think that has been covered largely by the member for Reynell. The issue of protecting children, using the educative pathway with programs in schools, and taking out advertising. We know that advertising is a very significant factor in the take-up of smoking, and we also know the tobacco companies are incredibly skilled at targeting their advertising to young people, so we have the advertising provision. Members will remember that there were advertising provisions in the principal act but they were never translated into regulation and so they became ineffective here in South Australia. In this bill advertising is banned.

The member for Fisher says that there is only a monetary penalty if the child does not comply but I can see major issues. For instance, with a 16 or 17 year old approached by a Health Commission official and asked to hand over their cigarettes, what happens if they refuse? We would have to call the police and then we are into a situation of applying

finer. I think it is counterproductive to what we are trying to achieve. The government does not support the clause. We do accept the intentions of the member for Fisher, and I will be pleased to have further discussions with him, perhaps also involving my colleague the Minister for Education (whom I know would be pleased to participate) and, where necessary, the ministers for police and local government, all of whom are part of the prescribed person sections of this amendment. I would be happy to organise that in the break, but the government does not support this clause.

The Hon. DEAN BROWN: I support this amendment and I think it is perfectly reasonable. What is the point of having a campaign to say that young people cannot go out and buy cigarettes but if, in fact, they do have cigarettes then we cannot even take them away from them? The effect of this amendment is that the only thing the police officer, authorised officer or school teacher can do is take the cigarettes away from the child. If the child refuses, then you can look at the expiation fine or the fine. In fact, if a person under the age of 18 is found in possession of cigarettes then all that can occur is that those cigarettes are taken away from them.

Because the minister was a former principal of a school, I ask: what did she do if she found a child at school with cigarettes? My understanding is that the teachers would take them away (and I would like to know if that is not the case). Therefore, I think what the member for Fisher has proposed is probably in practice already in many schools, at least. I suspect that the local policeman, having caught someone with cigarettes who should not have them, would equally say, 'You'd better put those in the bin.' I support this amendment very strongly. This government says that it will be tough on smoking, and here is the most simple amendment possible which provides that, if a child is caught with cigarettes, the cigarettes will be taken away. You could not ask for anything simpler than that.

The minister says that the government is looking for a 10 per cent reduction in smoking over the next 10 years. I think it is fair to say that the smoking level is about 21 per cent for core smokers, or about 24 per cent if you include occasional smokers or regular social smokers. When the minister talks about the 10 per cent reduction, will she indicate whether she is talking about reducing, say, the 21 per cent by 10 per cent, which will be down to 19 per cent, or is she talking about reducing it from 21 per cent down to 11 per cent over a 10-year period? I am not quite sure what that 10 per cent reduction represents. If it is a reduction in the number of smokers by 10 per cent, obviously the figure comes down to 19 per cent; if it is an overall reduction in smoking incidence by 10 per cent, it comes down to 11 per cent. I would appreciate some clarification from the minister.

The Hon. L. STEVENS: I remember very well when I was a teacher, and certainly when I was a deputy principal.

The Hon. Dean Brown: A deputy principal?

The Hon. L. STEVENS: And a principal. But, when you are a deputy principal, you really are into the bad jobs, and kids smoking and dealing with smoking—in the school toilets, behind the toilets, behind the oval and everywhere—are major issues. The way it was handled in my day, and I believe it is still the case, is that schools have their policy in relation to tobacco, but I do not believe that it is necessarily the same across the board: they may confiscate the cigarettes, they may destroy them, or they may return them to parents. My understanding is that the policy is on a school-by-school basis. The Minister for Education and Children's Services is in the chamber, and she will correct me if I am wrong, but I

know that schools do not condone students' smoking, and they have procedures and policies in place to deal with it.

Teachers do confiscate tobacco products within the school, but this measure deals with outside the school, in places such as Rundle Mall. Inside their own school, and sometimes around the edge of the school (for example, when kids are waiting for buses, or when the teachers are supervising and doing yard duty or on excursions), a teacher is in loco parentis. However, outside those hours, teachers are not responsible for any child.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: That is not quite clear. However, that aside, that is the answer to the deputy leader's first question. I know that schools—from primary school right through—have strong health education curricula, and anti-tobacco education in terms of the health effects of smoking is a strong part of that. Peer pressure and how to deal with that is another major issue amongst adolescents.

In terms of the State Strategic Plan, the plan is that we reduce smoking amongst young people by 10 per cent. We are now in the process of working out the age groups on which we will focus and a plan to achieve a 10 per cent reduction in the levels of smoking amongst young people.

The Hon. DEAN BROWN: There are two different issues here: you can have a 10 per cent reduction in the incidence of smoking amongst the entire population group, or you can have a 10 per cent reduction of those who are actually smoking. I will use this analogy again: we have approximately 21 per cent of the population who are regular, daily smokers. In talking about a 10 per cent reduction, are we talking about taking that 21 per cent down to 11 per cent, or are we talking about taking a 10 per cent reduction of 21 per cent, which is almost 2 per cent and, therefore, taking it down to 19 per cent?

The Hon. L. STEVENS: We are looking at reducing by a further 10 per cent the number of those who smoke now. For example, if 24 per cent of young people smoke now, it has to drop down 10 per cent below that figure, that is, another 2 per cent down. We know that we are at the hard end of it now in terms of young people, so it will be quite significant. That is our aim.

The Hon. DEAN BROWN: Is the minister willing to provide the exact wording of that objective which has been put into the State Strategic Plan so that I know which age groups we are targeting and at which levels we are starting?

The Hon. L. STEVENS: I think we are straying from the amendment. As I said, we are working on our sections of the State Strategic Plan in terms of coming up with implementation strategies. When that is done, I will be happy to share that information with the shadow minister.

The ACTING CHAIRMAN (Mr Caica): I believe I have been quite reasonable in allowing this line of questioning to take place. I suggest that that course of action be followed.

The Hon. R.B. SUCH: I think the minister misunderstood the last part of my amendment. Paragraph (d) states:

A teacher at a school attended by the child.

So, it is not teachers running around the state. The authorised officer would have to be authorised by the minister, and a very limited number of people are authorised under the section of the Local Government Act which is referred to.

In terms of how it would work in Rundle Mall, if a police officer saw a 12 year old puffing away, they could say, 'Hand over the tobacco products.' What else are they going to do?

Are they just going to walk past and hope that that person has a nice funeral a few years down the track? I think it is unbelievable that we are putting all this effort into trying to reduce smoking. We are going to punish shopkeepers, yet we are going to say to young people, 'Keep on puffing away in public.' I cannot believe that we are going to allow this sort of child abuse, because that is what it is. We know the harm that it does. Young people are not sufficiently wise or knowledgeable to know the consequences. I would love them to go to where my brother works at St Vincent's Hospital and see young people in their twenties with their throats and tongues eaten out by cancer. Then I would not have to come in here and try to convince people to stop pussyfooting around and get a bit tough on this.

The Hon. L. STEVENS: I thank the member for Fisher for clarifying the teacher issue. It is important that people understand that we are not just standing by and doing nothing about children smoking. We are doing a whole range of things, particularly through our education system and the measures we are implementing in this bill. It is important to understand that children are the victims of highly organised and specific advertising and promotional programs of very clever companies. That is why I have some concerns about measures that might inflame relationships between young people and officialdom. In the Elizabeth area where smoking prevalence is higher, there are already issues between young people and officialdom, such as the police and teachers. We do not want to get into a situation where we can cause bad relationships to develop and allow tensions that can be averted and handled differently to escalate. That is how the government sees it, but I repeat the undertaking that I gave to the member for Fisher: I am happy to talk about this further during the break.

New clause negatived.

Remaining clauses (17 to 19) and title passed.

Bill reported with amendments.

The Hon. L. STEVENS (Minister for Health): I move:

That this bill be now read a third time.

I thank everyone who has taken part in the debate. This is the first stage of putting into place legislation that will see South Australia lead the nation in terms of the control of tobacco smoking and making some headway in relation to smoking reforms. I reiterate that the objective of the bill is to protect workers and members of the public from passive smoking, to reduce the recruitment of young people, and to prevent relapse by former smokers.

I congratulate the health lobby for its commitment to achieving practical reform. I also congratulate all those who were involved in this process. I mentioned the members of the Smoke-free Taskforce earlier, and again I thank them, but I would particularly like to congratulate the health lobby for its commitment. I am sure that when this bill passes the other house we will have something which will enable us to move forward and make some headway in this area in South Australia. As I said before, we would have all liked these measures to come in sooner, but desire and delivery are two different things. This bill delivers workable reform and puts South Australia into a position of leadership in anti-tobacco reform. Finally, I would like to congratulate and thank Parliamentary Counsel for drafting this bill. I know that the member for Finnis read a section of the amendments and said that he could not understand them.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: You said you could not understand them.

Ms Breuer: That's no reflection on them.

The DEPUTY SPEAKER: Order! The member for Giles is getting a bit excited.

The Hon. L. STEVENS: I am sorry that he could not understand them but we do know that the AHA does understand them. It is incredibly difficult to draft a bill in which you have to try to encapsulate and encompass all the different set-ups which people have. We have tried to do that and we will have to determine some issues in the regulations. I thank Parliamentary Counsel for their efforts. Obviously people will not receive a copy of the bill to enable them to go ahead and start implementing, but we are already planning communication pamphlets and other information with the stakeholders. We are taking their advice on what will work for their people. We have the \$2.3 million extra in the budget to support the roll-out and that will be used to ensure that people do understand what it is they have to do.

Again, our approach will always be flexible and cooperative in meeting our objectives, but we will work with industry and community groups to achieve the best possible outcome for them as well. Thank you to my departmental advisers. We will be carrying on with the bill in the other place in September.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I stress that the bill as it comes out of committee, although it has some fundamental improvements in terms of smoking within the community and I support it for that reason, still falls far short of where we should be going as a community. If we want national and international leadership, the bill before the house does not deliver that. That is quite clear when you look at a country such as Ireland, which is well-known for its pubs and smoking in pubs. They grasped the nettle and banned smoking in the pubs in Ireland, and they were very successful. It is recognised very widely, indeed. Other countries such as Great Britain have been very tentative (like this present government), and they are not prepared to grasp the nettle and, as a result, smoking will continue in many public places in Britain.

Parts of the bill before us are very good. The parts relating to workplaces, shopping malls, other enclosed public places and the sale of products and advertising of products I support very strongly. Part of this bill is very strong and shows leadership. However, then we have these exemptions, and I can assure the house that there is no leadership in those exemptions. There is no courage at all when it comes to those exemptions because it demonstrates that, as far as hotels are concerned, people can smoke and that we are prepared to put up with people being affected by others smoking, including workers, for another three years and three months at least.

Frankly, that is unacceptable. There is no international leadership in that. There is nothing to be proud of at all, particularly when one looks at the underlying reason why it has been done, that is, to protect the revenue coming from poker machines. Whilst I congratulate the government on some of the initiatives, it falls far short of even a satisfactory outcome on other issues—and that has been clearly displayed during the debate on this bill.

I thank the staff of the department who briefed me on this; I appreciated that. I thank the parliamentary draftsman. I was not critical of the draftsman in reading out the paragraph. Rather, I was highlighting the fact that this government has created so many hoops through which people can climb.

The drafting problems have occurred only because they have this anomaly and this exemption. There are exemptions in terms of the bar, the length of the bar, how far back from the bar you can stand, what the design of the hotel bar might be and whether it is more than one metre. There are exemptions in terms of the area where you can smoke in bars and in gaming rooms. There are quite different exemptions again in terms of how far back from the service areas and gaming rooms people can smoke. There are different exemptions for serving areas in gaming rooms and bars. It has become an absolute nightmare for anyone to know exactly where you can and cannot smoke. Of course, all of that is to appease—

The Hon. P.F. Conlon interjecting:

The Hon. DEAN BROWN: I point out to the minister (who has just come into the chamber) that he was part of the cabinet that sat around and made this hypocritical decision simply to retain the revenue from poker machines. I would not interject if I were him: he should be embarrassed that his government has made such a poor decision. That is also reflected in the fact that the government even opposed the member for Fisher's amendment to take cigarettes away from children under the age of 18. I find that astounding. Where is the leadership in that? Where is the principle of trying to ensure that we are protecting young people and stopping them from taking up the habit of smoking knowing that it is an addictive habit? I will support the third reading because, in the areas I have mentioned, it is an improvement and a good improvement, but I highlight the fact that, in the other areas where all these exemptions exist, it is an absolute farce and I am sure that the people in the community will see it as such. I support the third reading.

Ms THOMPSON (Reynell): The minister has been very modest in the third reading speech tonight about her considerable achievements and those of the government. We hope that the bill passes as is in the upper house and that any amendments there are positive amendments.

The member for Finnis has referred to the fact that there is a smoking ban in Ireland. That is correct. That is the only place in the world where there is such a comprehensive ban. It is quite a large world: it consists of more than Ireland and South Australia—

The Hon. P.F. Conlon interjecting:

Ms THOMPSON: I understand that the Minister for Infrastructure might not see much in between, but the whole of Europe smokes in dining areas. The member for Finnis mentioned progress in Britain. There has been great progress in Britain: they have recently banned smoking on trains! I do not think they have even banned smoking in lifts yet.

The Hon. P.F. Conlon interjecting:

Ms THOMPSON: The minister has confirmed that, in Britain, you can smoke in lifts. This is a long way from a staged implementation to ban at the end of 2007. The minister deserves the recognition, as does the entire cabinet, that this measure will bring to the state of South Australia—not only in Australia but also in the world. This is an important step. However, it is not everything. I would dearly love to live in a world where no-one smoked. I would certainly love to live in a world where no child smoked. But, as has been mentioned before, it is an ingrained societal habit; it is one that society in Australia, in particular, has been moving very progressively to get rid of.

In Denmark, for instance, where there is amazing emphasis on social and health provisions, there is a fantastic network of healthy cities. Yet in Denmark they are still dealing with

the situation where people do not even ask others to go outside to smoke. People in Denmark smoke cigars and pipes in restaurants. That is something that we find totally abhorrent. I have found Denmark to be an extremely civilised and progressive society in all other measures but smoking. A wonderful place such as Denmark has not even come to grips with banning smoking in dining areas, and here we are taking a staged, measured, implementation to ban smoking in pretty well all places of public assembly in just over three years. We really should not sell ourselves short, and we certainly should not sell the minister short.

I congratulate the minister and cabinet for taking this brave and important step. I also congratulate the stakeholders in the industry for moving in this cooperative way to introduce this important health and social measure and, again, I commend the health organisations that have taken such a difficult for them but supportive role in the introduction of these measures. We all look forward to a much cleaner South Australia in November 2007.

Bill read a third time and passed.

WORLD FOOD MEDIA AWARDS

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. LOMAX-SMITH: The South Australian Tourism Commission has just informed me that its advice to me earlier this afternoon was incorrect. Due to a change in direction, Jacob's Creek has withdrawn its sponsorship for the World Food Media Awards, an event in Tasting Australia. Tasting Australia has recently secured three new sponsors and I am informed that negotiations are continuing with other potential sponsors for the next event to be held in October 2005.

The Hon. DEAN BROWN: Sir, I rise on a point of order. As that was a ministerial statement made to the house, I wonder whether we could have a copy of it. I appreciate the fact that the minister may not have had copies available.

The DEPUTY SPEAKER: It is a courtesy. We will have some copies made.

LAND AGENTS (INDEMNITY FUND—GROWDEN DEFAULT) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

EMERGENCY MANAGEMENT BILL

The Legislative Council agreed to the bill without any amendment.

TRANS-TASMAN MUTUAL RECOGNITION (SOUTH AUSTRALIA) (REMOVAL OF SUNSET CLAUSE) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

CHICKEN MEAT INDUSTRY (ARBITRATION) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

PARLIAMENT HOUSE, HERITAGE LISTING

The Legislative Council agreed to the resolution contained in message No. 108 from the House of Assembly concerning listing of the Parliament House precinct and buildings by the Australian Heritage Council.

STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL

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

No. 1. Page 2, after line 14 (clause 5)—

Insert:

(1) Section 24(2)—After paragraph (d) insert:

- (da) requiring the electricity entity to include (in a print size and form prescribed by regulation) in each account for electricity charges sent to a small customer information prescribed by regulation, including information relating to—
 - (i) the customer's electricity consumption during the preceding 12 months; and
 - (ii) the entity's daily charges for electricity during the period to which the account relates; and
 - (iii) obtaining advice through the Commission about reducing electricity consumption and about electricity consumer choices; and
 - (iv) greenhouse gas emissions associated with the customer's electricity consumption; and

No. 2. Page 4, after line 9—

Insert the following new clause:

6A—Amendment of section 26A—Licences authorising retailing
Section 26A(2)—After paragraph (d) insert:

- (da) requiring the gas entity to include (in a print size and form prescribed by regulation) in each account for gas charges sent to a small customer information prescribed by regulation, including information relating to—
 - (i) the customer's gas consumption during the preceding 12 months; and
 - (ii) the entity's daily charges for gas during the period for which the account relates; and
 - (iii) obtaining advice through the Commission about reducing gas consumption and about gas consumer choices; and
 - (iv) greenhouse gas emissions associated with the customer's gas consumption; and

Consideration in committee.

The Hon. P.F. CONLON: I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

APPROPRIATION BILL

The Legislative Council agreed to the bill without any amendment.

STATEMENTS BY INDULGENCE

The Hon. P.F. CONLON (Minister for Infrastructure): As the leader of the house, I would like to offer, as is traditional, the thanks of the government to those people in the house who make our work easier, in fact possible, as it would be impossible for us to carry out our responsibilities without those who provide such tremendous support to us. I would like to thank you, Mr Speaker, and Mr Deputy Speaker, and I would like to thank also the Clerk and all the parliamentary staff—the table staff, the attendants and the support services staff. I thank, too, the Hansard staff, who do

such a very good job in often trying circumstances. I know that I am one of the worst offenders in making the job of Hansard more difficult, but I cannot help it: I am a Celt and I get excited. I would like also to thank the library staff, the catering staff, the cellar master, the finance manager and his staff, the building services staff, the government publishers and the parliamentary counsel, who do a very good job. I think we have the best drafted legislation in Australia, and the easiest to read. I think the member for Bragg would agree with me on that. She is such a practised lawyer and she has spent a lot of time with new legislation.

I would like also to thank the police security; the drivers who do a lot for us; our electorate officers, who work in very difficult circumstances, especially for those of us who have ministerial responsibilities and, as with the member for Finnis, leadership responsibilities, and are taken away from our offices—they do so much often on their own. I also thank our ministerial staff. I have very excellent staff myself and I know that I do not often appreciate them as much as they deserve, and I would like to place on the record that I appreciate the work that they do for us. Then there are the people who staff our office, whom I thank sincerely. I also say a particular thanks to all our partners. At least we have the interest of being here, and I know that they suffer many late nights waiting for us to come home and they are not paid for it; however, we are.

I would particularly like to thank my beautiful wife Tanya, who is 19 weeks pregnant, and has made me the proudest fellow on earth. Can I say that she is not my better half, she is my better 98 per cent, and she is making me a better human being, which I think is a tremendous relief to many people. My ministerial colleague, the Minister for Environment, Conservation and Heritage says that the proof of the pudding is in the eating, and he has not eaten it yet!

I want to thank all of those who make our job easier, and those in the opposition who often cooperate in a bipartisan way in the interests of the state. It has been quite a long time away from home, and we will now get to spend some time with our families. I urge all members to take advantage of that and spend some quality time with those you love, because we do not do enough of it.

I know that the Government Whip is very keen on spending some time with her large dogs. She thinks that the registration fees are too high for them, but she is very fortunate that we do not charge registration fees for dogs on the basis of size; otherwise they would be even more. That was the minister's initial position! I thank all those people.

I know as a government minister that we often get so obsessed with our own interests and difficulties that we forget that there are a lot of people working for us who are taken for granted, and I think that it is the appropriate time to remedy that ill and thank all those people sincerely. I look forward to seeing everybody back here healthy and well in, I think, the second or third week of September.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I support the Minister for Infrastructure in his remarks and I back him up entirely in terms of our appreciation of the support for the operation of this house to you Mr Speaker, Mr Deputy Speaker and Chairman of Committees, and your respective staff, including the Deputy Clerk and other chamber support staff. They are always appreciated. I was sitting here thinking tonight, when I saw all the amendments being moved, that they do the job so well indeed. I appreciate the way they do it without any fuss and without

any unpleasantness. In fact, it is always just the opposite; they are always extremely pleasant. Just late this afternoon and earlier this evening I was admiring how well they do it, and reflecting back on how that has become a characteristic of the staff here, and I appreciate it and know the other members do.

To Hansard, I say that we always appreciate the work that Hansard does in turning the words that we say here into meaningful English. We particularly appreciate, though, the work that Hansard does in a week like this when we have been sitting late, both Houses of Parliament, and it puts immense pressure on them. So, thanks to Hansard and the support staff in Hansard.

Thanks go also to the other staff around the parliament, including the catering staff, all the support staff, and the maintenance people, who make this place operate in a very friendly way and, almost, in many ways, as an entity unto itself in terms of the way that when you need things to be done they get done very effectively. There is the staff who operate the telephones and the staff who sit in the Centre Hall of the parliament.

There is also the Library staff, and a lot of others. I think the minister listed them all, and I will not go through them all one by one. I appreciate them, and on behalf of the opposition I certainly want to highlight our appreciation for the ongoing support that they give throughout the year, which makes this parliament function, and perhaps function despite what the members of parliament try to do to make life more difficult within this place at times. I guess members of parliament tend to be an erratic group at times, an unpredictable group, and that certainly—

The SPEAKER: Really?

The Hon. P.F. Conlon: How could he say that, Mr Speaker?

The SPEAKER: Exactly; I'm astonished!

The Hon. DEAN BROWN: I'm looking forward to your support on this matter, Mr Speaker! I think that highlights the characteristics and the way in which the staff of both houses of parliament and of the entire parliament carry out their tasks so effectively indeed. I wish government members and independent members a relaxing break, although I do not think any of us quite see it quite as a break, but certainly it is a break from the sittings of this parliament.

I would like to pass a comment about Monday sittings because I think it needs to be made. I do so because I have sat in this place for a couple of years and I want to highlight the fact that I really think that the Monday night sittings—in fact, I even question the Monday sittings, because I think it extends the sitting week and as a result of that I do not know that we are achieving the extra benefit that comes from four days of sitting. I particularly apply that to Monday night sittings. I think that in many ways it is just unreasonable to expect members to sit Monday, Tuesday and Wednesday in this place sometimes until quite late hours, and then to invariably find that you have meetings for the rest of the week, so there is very little contact. We have had plenty of talk about how this place should be more family friendly place. I would like to say that I think the move towards Monday sittings, and particularly Monday night sittings, is the most retrograde step that one could have in terms of making the operation of the parliament family friendly. I cannot think of any other matter that this parliament has done in the years that I have been around which has, in fact, in many ways, impeded the contact between members of parliament and their families, in trying to live a slightly more normal life, if that is possible. I put that on record, because

I believe that I have heard a lot of things said from many members about making the parliament family friendly, and yet I think that in the past two years we have taken a very significant step backwards, indeed, on that.

But otherwise, I wish everyone a very enjoyable break, and at least a break from the routine of the parliament, and I look forward to seeing them when the house once again commences in September.

Mr RAU (Enfield): I understand that I am not holding us up because we are waiting for something anyway, and I want to say a few words of thanks to people. I also want to say that I greatly appreciate the efforts of the Hansard staff; they really do a fantastic job. In that context, I would also like to say that I congratulate member for Morphet who has slowed down since he first arrived here to the point where the efforts that are put in are not necessarily as difficult as they once were. I would also like to express my great appreciation for the staff in my electorate office who have done a fantastic job in supporting me over the past couple of years and, in particular, to Paul Sykes who has been with me for a couple of years, and who is now moving on to bigger and better things.

I would like to also say that I greatly appreciate the efforts of the staff in the chamber. I often joke with John, for example, that I think he lives in this building. I have never walked into this room, day or night, any day, without finding him in here cleaning it up. He has informed me that he has a small bed somewhere down there in a corner where he does, basically, live. I am particularly impressed by his diligence. The Clerk and the able staff at the table and, of course, Mr Crump, do a fantastic job. I do not know whether it is a matter within your jurisdiction, Mr Speaker, but is there some possibility of getting some unanimity of hairstyles? When you are wearing your wig—they are all pretty commonly attired, but I think they should all perhaps follow the Clerk or all follow Mr Crump, I am not sure. But, anyway, that is a matter for later.

I am very grateful to the catering staff for their efforts; they are always very cheerful and they put up with members who are in varying states of order and disorder and varying states of happy or sad moods. They do so with a smile on all occasions, and I think they deserve a great tribute for that. I can tell you, Mr Speaker, that as a result of my meeting and getting to know some of the catering staff I have learned a great deal about life—particularly in the United States, courtesy of the Jerry Springer program which runs in there at 12.30 p.m.

The library staff have been particularly helpful for me and I would like to place on record the fact that they have given me great assistance in researching matters which I have been working on from time to time. I do not know whether all members appreciate the great support we get from the library staff; they have found a lot of material for me and I feel as if I have been able to educate myself on a number of matters largely as a result of their efforts.

I would also like to say that I greatly appreciate the support, assistance, encouragement and indeed wisdom that has been imparted to me by other members on both sides of the chamber. I will not mention all of them, because to do that would perhaps leave some out and that would not be fair, but as recently as yesterday an important lesson was imparted to me on the importance of being able to count and to make sure that my trousers are always fully hitched.

In any event, standing orders is a matter that I believe we might consider when we resume and whether or not we can develop some more progressive ways of managing the business of the parliament. I look forward to seeing other members contribute to discussions on those subjects. I would also like to say that the member for Colton is a tremendous source of encouragement. He finds my questions interesting at all times during question time and signals this by loud 'hear, hears which I personally find very encouraging. He is always orderly, Mr Speaker, as you know.

Finally, I would like to conclude by wishing all members of the parliament and the staff a good and restful break. I look forward to returning here with all of us refreshed, and hopefully to see some of the important changes that we might aspire to make in this place continuing, and hopefully seeing the public esteem in which this place is held continuing to increase. I will conclude by again thanking all those who have provided assistance over this last period.

MURRAY MOUTH

The Hon. J.D. HILL (Minister for Environment and Conservation): I seek leave to make a ministerial statement. Leave granted.

The Hon. J.D. HILL: Before I read my statement, I would also like to pass on my gratitude to all the servants of the house in all their various roles and my appreciation for the assistance they have given me personally.

Yesterday I made a statement in relation to the dredging of the Murray Mouth, and in the statement I referred to the allocation of a further \$9 million for sand dredging to continue until October 2005 to keep the Murray Mouth open. Of course, I should have said that this allocation will be subject to the final approval of the Murray-Darling Basin Ministerial Council. While this was inferred, I wish to put it clearly on the public record that the funds are subject to ministerial council approval. I am very confident that the ministerial council will give that approval, but I did not want to suggest that that approval had been given without the due process taking place.

The Hon. Dean Brown interjecting:

The Hon. J.D. HILL: Indeed, yes: the funds are available.

The SPEAKER: It falls to my lot to wear two hats but neither at the same time—either one or the other, I should have said, at any moment. In the first instance, on behalf of the staff—since they are non-persons here other than that they are called upon to orchestrate what we do—I thank all of you for the way in which you have treated their professional disposition and the delivery of their service to the chamber wherein and thereby we are able to take the delegated authority from the people who elected us and, in a fair and just manner, do the things which we believe provide relief from the difficulties people have in dealing with each other and with government agencies. That is what, in no small measure, parliament is here to do. Were it not for the staff in this chamber and elsewhere that would not be possible, and on their behalf I thank you.

I now wish to express my own thanks to those staff and make a couple of points along the way. I hope that in the near future the facilities in which the library operates can be improved to bring them more into line with the libraries of other parliaments and, therefore, that the services members can get from the library can be properly accommodated

within the precincts of parliament. It goes without saying that the Media Monitoring Unit, as I have said before, costs the taxpayers of South Australia quite a lot of money and there is no reason on God's earth (or anyone else's if you do not happen to believe in the Almighty) why that service cannot be provided through the library for the benefit of all members whether they belong to a political party or not. It would cost no more, and it ought not to be available to the ministers of the government of the day in ways which might be different from the access that ordinary members have to the information which it garners in a relevant fashion.

All honourable members know that is not possible for any one of us to listen to our constituents, think through the issues of moment which our colleagues want us to debate in here, and at the same time listen to, watch and read everything that is relevant to those things. Not only is that impossible for ministers, it is no less impossible for other members and it is improper, it is an abuse of public trust, to take the money and make it available only to one group who happen to have a majority at any one time and deny it in some measure to the remainder in a disproportionate way. Having said that, I thank the library for what it does. It continues to be professional in its service to the needs of the parliament.

I thank also the staff who keep the place in a fashion that enables it to be occupied for the purposes of conducting parliamentary business, namely, the caretakers, as well as the attendants of this chamber and its precincts. Of course, I do not ignore those people who work for and around the Legislative Council, because it is within the building in which we all live and work, even though there is some allocation, sensibly, of responsibility for space. More especially, I thank the manner in which those security staff, who have come here in recent times to do a job different from what it was five years ago. It was very different 10 years ago, and 20 years ago it was hardly recognisable, because at that time any member of the public could walk through any of the doors of Parliament House at any time it was open and members were in here working, and simply tell the attendants that they were here and had an appointment or a desire to see somebody.

But the world has changed in less than two decades, to the extent that now, if we are to behave responsibly and to save the taxpayers the cost of a by-election, let alone the trauma to our families which would result if we were to be kidnapped, or worse, murdered, we now have to take a different view of that. At this moment, I make the plea that the government of the day—even though to date we do not have responsibility for parliament's affairs held in the hands of administrative arrangements within this building, but scattered across a number of ministerial portfolios—nonetheless authorises at no additional expense to the parliament appropriate training not just for the security staff, who have now cottoned on to the job that has to be done (and today bears testimony to their competence in doing so) but also for other staff in this place, if there is a threat and a risk.

Better training needs to be provided to the staff to enable them to react to that risk promptly, professionally, with discipline and in a way which minimises adverse consequence. To date, that has not been done, and it will be a major undertaking that the government, still holding the purse strings, ought not to expect us to find from within the budget lines of the parliament itself. The public will condemn us as elected representatives if we do not do so, because the challenge and responsibility is ours to discharge and not to wait until a disaster and say 'we could have done it better, if only'. We have to do that and ensure that we do not put the

public to the expense of a by-election in consequence of any one or more of us and the property of the parliament being destroyed should there be a breach of security in the building.

I move on to thank the staff who work for the Joint Parliamentary Services Committee, namely, Hansard and the outstanding commitment it has made to constant change, which in recent years has been more frequent, if you like. Indeed, it is an ongoing, constant process. We are still in the process of bedding down Saphire and, the moment we have that sufficiently established as a process for recording the proceedings of parliament, if I am any judge, we will move into the recording of the proceedings of parliament in video, and we will do so through Hansard—no better way, in my judgment. Hansard has served us well for over 100 years in keeping a record of the verbatim proceedings of parliament, subject to editing arrangements, which are part of the policy governing the manner in which the final record is produced.

Therefore, there is no reason why the same group of people cannot be trusted to manage the video production and broadcast of the proceedings and, finally, the video record. After a few short days, CDs can be provided to anyone who wishes to examine the debate on any matter in both chambers by seeing what is in the written record, hearing it and seeing it happen. So, you can read it at the same time as you see it and hear it, and that will be a very much improved service for the public not only if they wish to examine what happened in a particular debate—and we are accountable to them, and it should be accepted that that is part of our responsibility—but also to enable the audio and the audiovisual signal to be broadcast on the Internet to anyone who wishes to watch it. I was particularly stunned and hurt by the suggestion that the chair and the staff of the parliament would accept any inferior product that would result in a jerky image and inaudible sound being recorded and broadcast. That was never the case and will not be the case.

Already, some honourable members have accompanied me to the parliament in Western Australia to see how its analogue version has worked, and we returned with video disks of the kind of record I believe we ought to have. Those are available to honourable members to view and read. Especially in view of the fact that the Western Australian parliament, after more than seven years on analog, is now switching to digital, we should pick up that technology, knowing that it is not expensive, and install it here.

To those people who work below the ground floor, as it is called, in the parliament, in the Catering Division and in the other services, I point out that they have done an outstanding job. In the very near future, I am sure that parliament will make a sound decision about whether to retain contract cleaning or pass into employing its own. The JPSC has already come down in favour of employing its own staff so that security questions about contract staff are more easily managed. In having our own staff, it will be possible for us to keep the building in even better shape than it has been and dispense with the repositories of dust and grime, which, whilst not seen, are nonetheless significant contributors to the spread of disease in any building.

I want to make the point that it would be dangerous to allow that to continue without its being cleaned away. When the house was a house and people lived here, the staff who worked in the Catering Division generally did other routine cleaning. We have never had that since we switched over during the last 25 years, and there is an accumulation of dust and grime which in hospitals has been identified through more than one examination as what causes cross-infections,

and it is now seen to be a serious problem and is removed, but we do not allow it.

I draw attention to and thank those people who have kept the airconditioning service functioning. There are occasions when it can be a problem. We take for granted that the building will be habitable. Without airconditioning during the coldest and hottest months of the year, the building would become fairly unbearable because the ventilation system which used to serve it is no longer here and we have to have the airconditioning system functioning properly.

I also point out that the service available to visiting members of parliament through the Joint Parliamentary Service Committee of having a vehicle to meet them at the airport and other places and ensuring that they are made as welcome as any of us are when we go to other parliaments is appreciated by me and I am sure by other members who have used it. It is available.

The other thing that I would mention before concluding these remarks is that until and unless we show the spine that is necessary to ensure that the institution of parliament functions in an appropriate manner in the 21st century, separate and independent from government, through which the government derives its authority, the continuing subconscious perception in the mind of the public will be that parliament is a waste of time and that you might as well simply have departmental heads directing what policy will or will not be and allowing that, in some way or another as if by magic, to be ventilated when it fails to deliver relevant outcomes according to their expectations.

The establishment of new professions such as administrative law is not the solution to the problem. Altogether, we are changing, and those people who work for us are changing with us as an institution. We need to thank them in the manner in which honourable members have. I will see that the remarks which we have made are passed on to them should they not be in the fortunate position of knowing what has been said this evening. Accordingly, I wish them well during this period of time when, whilst we are away in our electorate offices with our constituents and/or families and friends, they will be in here beavering away trying to make some of those changes to which I have just alluded. They will not be enjoying the same variety of activity as we do. Sure, they will be making changes and they will be busy doing that, and that will probably be novel, but it will not be a rest. I thank honourable members.

[Sitting suspended from 9.34 to 10.18 p.m.]

COMMISSION OF INQUIRY (CHILDREN IN STATE CARE) BILL

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

No. 1—Clause 3, page 2, after line 16—Insert:
parliamentary selection committee means a committee consisting of—

- (a) the President of the Legislative Council; and
- (b) the Speaker of the House of Assembly; and
- (c) the Premier; and
- (d) the Leader of the Opposition; and
- (e) a member of the Legislative Council chosen by the Legislative Council who is neither a member of the Government nor a member of the Opposition;

No. 2—Clause 3, page 2, after line 18—Insert:
State includes a Territory.

No. 3—New clause, page 2, after line 18—Insert:

3A—Proceedings of parliamentary selection committee

(1) The President of the Legislative Council will preside at meetings of the parliamentary selection committee.

(2) A decision carried by a majority of votes cast by members of the parliamentary selection committee at a meeting of the committee is a decision of the committee.

(3) Each member present at a meeting of the parliamentary selection committee has 1 vote on a question arising for decision.

No. 4—Clause 4, page 3, line 4—After ‘the Governor’ insert:
on the recommendation of the parliamentary selection committee

No. 5—Clause 4, page 3, after line 4—Insert:

(2a) The person appointed under subsection (2) must be—

(a) a Judge or former Judge of the Federal Court of Australia or of the Family Court of Australia, other than a person who resides in this State; or

(b) a Judge or former Judge of the Supreme Court of a State, other than this State; or

(c) a Judge or former Judge of an interstate court that corresponds to the District Court of South Australia.

No. 6—Clause 4, page 3, lines 7 to 18—Leave out subclauses (4) and (5)

No. 7—Clause 8, page 4, line 35—After ‘with the Commissioner’ insert:

and with the approval of the parliamentary selection committee

No. 8—Clause 8, page 5, after line 2—Insert:

(2a) The Minister may, after consultation with the Commissioner, engage or appoint a suitably qualified person or persons to provide support or assistance to any person who may wish to place evidence before the Inquiry.

No. 9—Clause 11, page 6, after line 21—Insert:

(1a) If the Governor allows an extension of time for the completion of the Inquiry under subsection (1), the Commissioner must nevertheless, within the period of 6 months referred to in that subsection, provide an interim report on the progress of the Inquiry.

(1b) An interim report under subsection (1a) must at least report on allegations of sexual abuse of persons as children while in the various forms of State care other than foster care (insofar as this is reasonably practicable in the circumstances).

No. 10—Clause 11, page 6, lines 22 and 23—Delete subclause (2) and substitute:

(2) A report of the Commissioner under this section must be delivered to the Governor.

No. 11—Clause 11, page 6, line 24—Delete ‘the report’ and substitute:

a report from the Commissioner

No. 12—Clause 11, page 6, line 25—Delete ‘within 5 sitting days’ and substitute:

within 3 sitting days

No. 13—Schedule 1, clause 2, page 8, lines 3 to 8—Delete subclauses (1) and (2) and substitute:

(1) The terms of reference are to inquire into any allegations of—

(a) sexual abuse of a person who, at the time that the alleged abuse occurred, was a child in State care; or

(b) criminal conduct which resulted in the death of a person who, at the time that the alleged conduct occurred, was a child in State care,

(whether or not any such allegation was previously made or reported).

(2) The purposes of the inquiry are—

(a) to examine the allegations referred to in subclause (1); and

(b) to report on whether there was a failure on the part of the State to deal appropriately or adequately with matters that gave rise to the allegations referred to in subclause (1); and

(c) to determine and report on whether appropriate and adequate records were kept in relation to allegations of the kind referred to in subclause (1) and, if relevant, on whether any records relating to such allegations have been destroyed or otherwise disposed of; and

(d) to report on any measures that should be implemented to provide assistance and support for the victims of sexual abuse (to the extent that these matters are not being addressed through existing programs or initiatives).

No. 14—Schedule 1, page 8, line 10—Delete ‘1 July 2004’ and substitute:

the commencement of this Act

Consideration in committee.

Amendments Nos 1 to 7:

The Hon. J.W. WEATHERILL: I move:

That the Legislative Council’s amendments Nos 1 to 7 be disagreed to.

Motion carried.

Amendment No 8:

The Hon. J.W. WEATHERILL: I move:

That the Legislative Council’s amendment No. 8 be agreed to.

I make the following observations about the effect of this clause in practice. The following is an agreed form of words between the opposition and the government:

There have been considerable negotiations around the issue of the provision of assistance to persons who may wish to give evidence to the inquiry. On the one hand, it is necessary to ensure that people coming before the inquiry feel safe, confident and have access to such assistance as they may need. On the other hand, the government has a legitimate interest in ensuring that an entitlement to this assistance does not entitle a potential witness to demand the provision of resources in the way of legal or other assistance.

The final position in terms of wording of the clause leaves a level of flexibility in the hands of the Minister after consulting the Commissioner.

It is the intention of the government to provide all witnesses with assistance in the nature of that provided by the Victims Support Service. In addition, in appropriate circumstances, it will be necessary to provide some witnesses with a level of legal assistance to enable them to present their evidence.

Mr BRINDAL: I would like to know, in plain and simple language, whether when the amendments agreed to leave this house we have some sort of deal that will get us, with the other house, this legislation.

The Hon. J.W. WEATHERILL: I can indicate that the opposition has indicated that it agree to these propositions which we are putting in the other house.

Motion carried.

Amendments Nos 9 to 11.

The Hon. J.W. WEATHERILL: I move:

That the Legislative Council’s amendments Nos 9 to 11 be agreed to.

These are the amendments which were, in fact, moved in this house and which concern the splitting of the inquiry dealing first with institutional care, and then moving on to foster care.

Motion carried.

Amendment No. 12:

The Hon. J.W. WEATHERILL: I move:

That the Legislative Council’s amendment No. 12 be agreed to.

This represents a further compromise from the positions that have been put in this house. The report is now to be tabled within three sitting days.

Motion carried.

Amendment No. 13:

The Hon. J.W. WEATHERILL: I move:

That the Legislative Council’s amendment No. 13 be agreed to.

This involves a recasting of the terms of reference, the most significant alteration being the addition of the phrase ‘criminal conduct which resulted in the death of a person who, at the time that the alleged conduct occurred, was a child in State care’. It also adds an examination of appropriate records and their destruction and also to report on measures that should be implemented to provide assistance to the victims of sexual abuse.

Motion carried.

Amendment No. 14:

The Hon. J.W. WEATHERILL: I move:

That the Legislative Council’s amendment No. 14 be agreed to.

Essentially, this commences the conduct that is being examined up to the date of the commencement of the act: so, it moves it forward from 1 July 2004.

Motion carried.

The SPEAKER: In the absence of anyone else’s wishing to make use of the time, and to save time when we receive a message from the Legislative Council (the contents of which I do not presume to predict), I nonetheless feel that it will save time if I make some remarks now on the measure about which we have just sent a message to the other place. Those simple observations are these: there would not be an inquiry, or any legislation for it, had it not been for my expressions of concern very early in the term of this parliament. There has been a report from Robyn Layton QC about the way forward, and that has been excellent. As she said herself, it was not about the past: it was about the way forward.

The government has taken other steps, but they do not address those people who have been wrongfully ignored by the system over the years and whose lives, as I said in my contribution, have been trashed. I believe that needs to be addressed if we are to root out that subculture which still exists in our society and in many other Western democracies but which has the general view that, if you can do it and get away with it, it is okay, even though it is against the law—indeed, even more so in the case of children who do not have the power, the experience or knowledge of where to go to get assistance and who have been put into positions of trust but had that trust abused.

I fear that the consequence of what might return to us from the Legislative Council will simply provide for an inquiry by the system into itself, a system which has failed the victims on whose behalf I have been a fearless advocate. I do not care whether that advocacy costs me my place here. It has been worth while, and I will not shrink from it. I have suffered the on-again off-again sentiments of a government which I said over two years ago I did not want to see tainted by a continuing indifference to an ongoing problem which had no place in a civilised society of the 21st century. Yet my plea in that regard failed to reach the reasoning portals of the brains of enough people in the government to have them accept the seriousness of the situation in which we find ourselves.

I therefore on their behalf tell the house that there will still be a significant percentage of victims who will not have confidence in the structure of the amendments as we have determined them. It is not the place of the Speaker, and therefore by convention and tradition the member who it is that occupies that office, to argue and reason what the house ought to do before it does it. However, my constituents and anyone else in South Australia who cares to examine the record is entitled to know of my disappointment of those aspects of this proposition (which we have sent to the Legislative Council for its concurrence) in that we will not have someone completely independent from what has happened in South Australia looking at what has happened, why it has happened, when it happened and what could be done to pursue those who were the perpetrators in circumstances where there is sufficient evidence in the opinion of the prosecutor (that is, the Director of Public Prosecutions) to obtain a prosecution, or at least to address the administrative structure of those agencies which provide the service to children who become wards of the state.

I make absolutely no reflection whatever upon the personal integrity of any of the people who may be appointed under the legislation which I now believe will pass and which will result in the appointment of a commissioner and staff to assist them. I place on record my plea, indeed I do not place it on record without begging the government to at least provide an independent external investigator to assist the commissioner and to ensure that the person they appoint with the skills of a social worker and social psychologist to be someone at arm's length from any agency which has had an involvement in the provision or the determination of the type of service to be provided by government. If those pleas fall on deaf ears, then I will weep for them who have suffered. I know what it is like to suffer where there is no appeal to anyone other than that you provide the justice you deserve yourself—and that is a painful experience to reflect upon.

I also appeal to the government to remember what happened in the last parliament to the government when an inquiry of a kind was set up—albeit by someone's proposition who meant well but who did not understand how to ensure objective detachment and how to ensure that appropriate terms of reference were provided—and instead of there being one clean-cut inquiry into the matters which were the subject in the first instance of the Cramond report, there had to be not two but three goes at it, and the consequences were terrible. But there were no victims in that set of circumstances. In this instance, we seek to address the injustices which victims have suffered, and some of those injustices have been the improper charging and the improper judgments that they were guilty of offences which they never committed and were never associated with and had no knowledge of prior to their appearing in court to answer for them; and the criminal records for such people that were created by fiction simply to satisfy the system indicate the measure of sickness that we now seek to root out.

Therefore, the challenge for the commissioner is to ensure that that can happen without fear or favour and without prejudice to the victim. I thank the house for allowing me to say it, knowing that it will save time upon the return of the message from the Legislative Council that I say it now rather than later, and should any other member wish to make a contribution in the interim as we wait, they are welcome to do so.

The Hon. J.W. WEATHERILL: In that vein and in a bid to expedite the passage of the matter through the house, I wish to make these remarks. I appreciate the spirit of compromise that has been involved in, hopefully, reaching the agreement that we expect to be communicated back to us by the other place.

We will have an inquiry, and it is incumbent upon all of us to do what we can to build public confidence in that process. As you have properly acknowledged, sir, much of that responsibility will fall to the commissioner in the way he chooses to conduct the inquiry; and we will, of course, provide every appropriate assistance to him to ensure that the inquiry achieves its stated outcome—which is, as I said in the debate on the bill, to promote the healing of those who have suffered these appalling injuries at the hands of people who, in some cases, preyed on them or, in other cases, simply turned a blind eye while these things occurred.

Promoting the healing process is the essence of the government's commitment to this inquiry. I am confident that, with a judicial officer who understands the notions of restorative justice and how the process of hearing contributes to the process of healing, we will, in fact, achieve that. So I

look forward to publicly promoting, in a bipartisan way, this important inquiry. There will be much work to be done in allaying the concerns of those who perhaps had in mind a different model for the way in which this inquiry would be constructed.

The Hon. W.A. MATTHEW: Mr Speaker, in the spirit of the offer that you so generously put to the chamber, in following the minister I acknowledge that there has been a spirit of compromise in reaching the decision that has now gone to the other place. However, I put on the record my personal disappointment that, as a consequence of that spirit of compromise, it would now seem that the commissioner heading this inquiry will not be someone independent of this state but, in all likelihood, will be someone who has served in a capacity that is associated with the judiciary of this state. I am personally concerned that many of the witnesses who have come forward to the opposition and who wish to state their case could be thwarted in providing their important evidence to the inquiry simply by virtue of the fact that we will not have a commissioner from outside the state.

That is no reflection on the commissioner, whether or not it is the person who has been pre-announced by the government, or another party. Rather, it is a reflection of the belief of those people who have been abused and are aggrieved, and who have a case that they wish to put before an inquiry. The regrettable fact is that a commissioner from within this jurisdiction has the potential to reduce the number of witnesses who may come forward.

Further, as I indicated during my second reading contribution in relation to this bill, it concerns me that the fact that a person from within this jurisdiction could become commissioner could, in fact, result in a situation where, if parties come forward with evidence that relates to cases in which the commissioner has previously been involved or requests that information be pursued that may be affected by roles that the commissioner has had in a previous time, it could result in that commissioner's having to vacate the position. Should that come about, it is tragic indeed.

It needs to be put firmly on the record that, should witnesses be thwarted from giving evidence to this inquiry, and should it be necessary as a consequence of evidence that comes forward for the commissioner to vacate their position, it does not come without warning from members on this side of the house, nor, indeed, Mr Speaker, yourself. The government has been warned, both in this place and during the negotiations that have occurred, on the result that is here today; and should that occur members of the government can blame no-one, other than themselves. At least, with the will of the other place, we will have an inquiry. Victims will have the chance to come forward. I agree with the minister that it will be beholden upon members of this place to show leadership and to encourage victims to come forward, to go before the inquiry and to give evidence. I fear that it may be very difficult indeed to encourage some victims who have come to the opposition to go before the inquiry, but I give my commitment to doing my level best to encourage those people to come forward and to relate the tragic situation in which they have been placed; at least to go before that inquiry so it may have the opportunity to hear their evidence, hear other witnesses and, hopefully, result in further actions through other law enforcement authorities.

Later:

The Hon. J.W. WEATHERILL: Mr Acting Speaker, I draw your attention to the state of the house.

A quorum having been formed:

**COMMISSION OF INQUIRY (CHILDREN IN
STATE CARE)**

The Legislative Council did not insist on its amendments to which the House of Assembly had disagreed.

ADJOURNMENT

At 11.25 p.m. the house adjourned until Monday 16 August at 2 p.m.

Corrigendum

Page 2628 to 2632 inclusive—For ‘pediatric’ wherever occurring read ‘podiatric’.

Page 2659, column 2, lines 53 and 54—For ‘Balco Street, Paringa Park’ read ‘Bowker Street, Warradale’.

HOUSE OF ASSEMBLY

Monday 19 July 2004

QUESTIONS ON NOTICE

WATER PRICING

335. **Mr BRINDAL:** When will the Minister release the Marsden & Jacob Report on water pricing for South Australian Irrigators?

The Hon. J.D. HILL: I advise the member that the matter will be considered in cabinet in due course.

GAMBLING, REVENUE

340. **Dr McFETRIDGE:**

1. How much revenue did the Government raise from poker machines and other gambling sources, respectively, in 2002 and 2003 and what is the forecast for 2004?

2. How much and what percentage of the Government revenue derived from poker machine revenue was allocated in 2002, 2003 and 2004 to:

- (a) clubs, volunteers and other community services; and
- (b) address problem gambling?

3. What measures have been introduced over the last three years to support and protect gambling addicts?

The Hon. M.J. WRIGHT:

1. The taxation revenue from gaming machines is reported in financial years. The gaming machine tax revenue for 2001-02 was \$211.6 million, 2002-03 was \$241.9 million and is forecast to be \$280.0 million in 2003-04.

2. (a) The *Gaming Machines Act 1992* provides that \$27.5 million from annual gaming machine tax revenue must be distributed to specified funds as follows:

- \$20 million to the Community Development Fund. The fund allocates monies to health, education and other community development needs. At least \$0.5 million from this fund must be applied towards programs that will be of benefit to the live music industry;
- \$3.5 million to the Sport and Recreation Fund. The money paid into this Fund is available to sporting or recreation organisations, excluding those with gaming machines, that have been adversely affected by the introduction of gaming machines;
- \$4.0 million to the Charitable and Social Welfare Fund. The Charitable and Social Welfare Fund (or Community Benefits SA as the fund is better known) provides financial assistance to charitable or social welfare organisations dealing with problem gamblers and their families as well as to provide grants to charities within specified guidelines.

Note that the amounts allocated to each fund were increased during 2002-03 (part-year effects apply in that year). Prior to that the amounts paid into each fund per annum were:

- \$19.5 million to the Community Development Fund;
- \$2.5 million to the Sport and Recreation Fund;
- \$3.0 million to the Charitable and Social Welfare Fund.

The remainder of gaming machine taxation revenue goes into consolidated revenue, and is used to fund the general expenditure of the State, including the health and education sectors.

(b) As noted above, the Charitable and Social Welfare Fund is used to provide assistance to organisations dealing with problem gamblers and their families.

In addition to the Charitable and Social Welfare Fund, the Government provides funding to the Gamblers' Rehabilitation Fund for counselling services for problem gamblers.

The Gamblers' Rehabilitation Fund receives \$1.5 million per annum via the Independent Gaming Corporation, which levies fees on clubs and hotels with gaming machines. The Government contributes a further \$1.8 million per annum to the fund. The fund receives \$3.3 million per annum in total.

In addition the Independent Gambling Authority receives funding of \$1.1 million over four years from 2002-03 to undertake research, including research into measures to address problem gambling.

3. In the 2002-03 Budget the Government provided an extra \$4 million over four years (\$1 million per annum) to the Gamblers'

Rehabilitation Fund to take the Government's annual contribution to \$1.8 million per annum.

In the 2002-03 Budget, the Government also provided \$1.1 million over four years to the Independent Gambling Authority to undertake research, including research into measures to address problem gambling. This includes the development and promotion of strategies for reducing the incidence of problem gambling and to research the social and economic costs and benefits to the community of gambling and the gambling industry.

In addition, the Government provided \$0.8 million over 4 years in the 2002-03 Budget for an education campaign, 'Dicey Dealings', aimed at warning young persons about the impacts of gambling.

In the 2003-04 Budget the Government provided funding for the production of a gaming machine booklet for general distribution to educate the community about the operation of gaming machines, their potential adverse effects and options for assistance for problem gamblers.

From 30 April 2004 new mandatory advertising and responsible gambling codes of practice came into operation. These codes were approved by the IGA following extensive consultation with gambling licensees and the welfare sector. The measures in these codes target the gambling environment to ensure it is established and operated in a way that does not exacerbate problem gambling. Examples of the measures that came into force on 30 April 2004 include a prohibition on gambling advertising on television from 4 pm to 7:30 pm weekdays, training of relevant staff on the identification of problem gambling, and requiring problem gambling helpline information on gaming machines, near ATMs and at other places throughout gambling areas. These codes of practice will be subject to on-going review, and additional measures will be included in the codes after further consultation.

The Problem Gambling Family Protection Order Scheme came into effect on 1 July 2004 and will enable family members who are being financially harmed by a problem gambler to seek an order against that person. The focus of this approach is to enable the family to prevent further harm and for the problem gambler to be able to recognise they have a problem and seek to address it. Consistent with this approach orders are to be issued by the IGA in an environment that would encourage mediation in the first instance.

The Government has recently introduced the *Gaming Machines (Miscellaneous) Amendment Bill 2004* which, amongst other things, implements the recommendations of the Independent Gambling Authority's *Inquiry into the Management of Gaming Machine Numbers* to reduce the number of gaming machines in South Australia by 3,000. This is consistent with the objective of restricting the opportunity and access to gamble. The Authority's report outlines the rationale for these recommendations and the potential benefit of this measure, together with the package of other measures (outlined above) to address problem gambling.

COUNCILS, RUBBISH COLLECTION

346. **Dr McFETRIDGE:** How many tonnes of rubbish have councils collected in each year since 2000?

The Hon. J.D. HILL: I am advised:

1. The information sought is not collected by the State Government or the Local Government Association for the period specified. The EPA (Environment Protection Authority) does maintain data relating to waste that is transported to landfill. That data, however, contains no breakdown as to the source of the waste.

The EPA can provide a calculated total for most local councils for the 2001 year. This information was obtained in a one off consultancy report commissioned by the EPA titled '*Survey and audit of kerbside waste and recycling practices*'. The report provides a weekly average of rubbish collected, per council, per house. From that data an estimation of annual tonnage has been calculated.

Council	Number of residences	Average kilograms collected per residence	Est. annual total (tonne)
Adelaide City	8878	11.15	5,147.46
Adelaide Hills	14500	9.95	7,502.30
Burnside	18430	7.44	7,130.20
Campelltown	18250	18.6	17,651.40
Charles Sturt	46500	17.27	41,758.86
Gawler	7693	9.05	3,620.33
Holdfast Bay	17152	14.07	12,549.09
Marion	34400	9.06	16,206.53

Mitcham	26000	15.53	20,996.56	Kangaroo Island	1575		-
Norwood/Payneham/St Peters	16700	14.47	12,565.75	Karoonda East Murray	150	16.67	130.03
Onkaparinga	61000	13.56	43,012.32	Kimba	300	16.03	250.07
Playford	26429	10.06	13,825.54	Kingston	1300	11.83	799.71
Prospect	8916	9.24	4,283.96	Lower Eyre Peninsula	1900	15.18	1,499.78
Pt Adelaide Enfield	50000	16.96	44,096.00	Mallala	2400	22.08	2,755.58
Salisbury	44865	10.79	25,172.85	Mid Murray	2500	15.43	2,005.90
Tea Tree Gully	36000	16.83	31,505.76	Mt Remarkable			-
Unley	18734	8.62	8,397.33	Northern Areas	1200	20.83	1,299.79
Walkerville	3000	17.47	2,725.32	Orroroo/Carrieton	260	18.49	249.98
West Torrens	24000	8.01	9,996.48	Pt Lincoln	4670	19.27	4,679.53
Barossa	7510	14.65	5,721.12	Pt Pirie	5000	10.15	2,639.00
Loxton Waikerie	45000	8.97	20,989.80	Renmark Paringa	2000	16.5	1,716.00
Murray Bridge	73000		-	Robe	860	14.76	660.07
Mt Gambier	10000	10.56	5,491.20	Roxby Downs	1100	17.27	987.84
Victor Harbor	5100	12.44	3,299.09	Streaky Bay			-
Whyalla	10000	18	9,360.00	Tatiara	1563		-
Copper Coast	4500	11.28	2,639.52	Tumby Bay	1600	6.01	500.03
Kapunda & Light	2400	11.22	1,400.26	Wattle Range	387		-
LeHunte	300	27.5	429.00	Yankalilla	1200	15.87	990.29
Mt Barker	6550	8	2,724.80	Yorke Peninsula	6000	22.44	7,001.28
Naracoorte and Lucindale			-	Total			428,651.16
Peterborough	980	17.66	899.95				
Pt Augusta	5000	21.31	5,540.60				
Southern Mallee	390	17.5	354.90				
Wakefield	2065	14.06	1,509.76				
Alexandrina	7800	8.44	3,423.26				
Barunga West	400	25.38	527.90				
Berri Barmera	5200	11.09	2,998.74				
Ceduna	1250	21.88	1,422.20				
Clare & Gilbert Valley	2000	5.77	600.08				
Cleve	700	5.66	206.02				
Cooper Pedy	1000	23.08	1,200.16				
Coorong	1500		-				
Elliston	375	20.31	396.05				
Flinders Ranges	738	15.11	579.86				
Franklin Harbour	348	9.84	178.06				
Goyder	1400	6.18	449.90				
Grant	1155		-				

It is recommended local councils be contacted directly for information regarding the tonnages of waste collected from residential households through kerbside collection.

VOLUNTEERS, GOVERNMENT FUNDING

349. **Dr McFETRIDGE:** In each year since 1999:

1. How much State Government funding was allocated to SA Surf Life Saving and helicopter shark patrols, respectively?

2. How much State Government funding was allocated to volunteer resource centres throughout the State?

3. What has been the cost of the total grants program administered by the Office for Volunteers?

The Hon. M.D. RANN: The Minister for Emergency Services has provided the following information:

The budgeted payments (excluding GST) for Surf Life Saving from are shown in the following table:

	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05
Operations	320,000.00	330,000.00	438,000.00	443,000.00	470,000.00	482,000.00
Jet Rescue Boat	119,757.00	132,684.64	0.00	123,000.00	0.00	0.00
Minor Capital	0.00	0.00	146,835.00	0.00	0.00	0.00
Major Capital	0.00	523,000.00	0.00	635,000.00	635,000.00	648,000.00
Other	0.00	12,545.00	0.00	0.00	32,535.00	0.00
TOTAL	439,735.70	998,229.64	584,835.00	1,201,000.00	1,137,535.00	1,130,000.00

An amount of \$12,545 was provided in 2000-01 to review and develop a strategic plan for the redevelopment of surf life saving clubs. As a result of this review, a number of occupational health and safety issues were identified at surf life saving clubs. In 2001-02 additional funding of \$146,835 was provided to enable minor repairs and maintenance to be carried out to overcome these issues.

In 2003-04, Surf Life Saving SA (SLSSA) sought financial assistance from the Government. In order to consider SLSSA's

financial situation, the Government provided \$12,535 to conduct an independent audit of SLSSA's financial position. Following this audit, the Directors of SLSSA stated that the Association was able to pay its debts as and when they fell due.

In addition, the Minister for Emergency Services offered SLSSA an amount up to \$20,000 to enable the Association to engage an independent consultant to prepare a business plan. The development of the business plan will take place as part of a governance review funded through the Office of Recreation and Sport.

The amounts paid for the provision of shark patrol services since 1999 is as follows:

	1999-2000	2000-01	2001-02	2002-03	2003-04
Helicopter (SLSSA)	0.00	29,315.00	49,700.00	33,095.00 (Dec 02-Jan 03)	0.00
Fixed Wing (Aldinga Aero Club)	0.00	0.00	0.00	3,697.00 (Jan-Mar 03)	23,054.90
TOTAL	0.00	29,315.00	49,700.00	36,792.00	23,054.90

From December 2002 to January 2003 SLSSA contracted Norris Dinan to provide a helicopter shark patrol service at a cost of \$850 per hour. In January 2003, the Aldinga Aero Club commenced providing a beach patrol using fixed-wing aircraft at a cost of \$150 per hour. In that year, the Aldinga Aero club received sponsorship

from radio station MIX 102.3 FM.

For the 2003-04 season, the Government sought quotations from SLSSA, Aldinga Aero Club and the University of South Australia. In addition, two private helicopter operators submitted quotations to provide the service.

The Government selected the Aldinga Aero Club to provide beach patrols from November 2003 to March 2004 at a cost of \$150 per hour. The members of the Club volunteered to pilot the aircraft and also to act as observers for the beach patrol.

During the season the Aldinga Aero Club flew approximately 146 return flights from Sellicks Beach to North Haven over the season on Saturdays, Sundays and Public Holidays. In summer weather conditions the Club flew 2 by 2 hour sorties (2 return flights) and 1 by 1 hour sortie (1 return flight).

A total of seventeen sharks were sighted on 10 separate flights. These sightings were reported to SLSSA. In addition, on two flights sea lions were sighted and reported to FishWatch. On one instance, a windsurfer was sighted in trouble and the pilot monitored their recovery and return to shore.

2. The Office for Volunteers has advised that the State Government funding to volunteer resource centres occurs through the Department of Families and Communities and the Office for Volunteers. The Volunteers Portfolio has provided the following funds to volunteer resource centres since 1999:

1999 – 2000	
Volunteering SA, for training to volunteers	\$200,000
2000 - 2001	
Volunteering SA, IYV Volunteers Conference	\$50,000
2001 - 2002	
Volunteering SA, Regional training	\$45,000
Volunteering SA, Metropolitan training	\$25,000
Volunteering SA, State Volunteers Conference	\$35,000
Volunteering SA, Equipment Grant	\$10,000
Volunteering SA, Corporate Partnership Publication	\$ 5,000
Northern Volunteering, Training for volunteers	\$25,000
Northern Volunteering, Equipment Grant	\$10,000
Fleurieu Volunteer Resource Centre, Training for volunteers	\$25,000
Fleurieu Volunteer Resource Centre, Equipment Grant	\$10,000
Total	\$190,000
2002 – 2003	
Volunteering SA, Best Advice	\$25,000
Volunteering SA, Rural training	\$75,000
Volunteering SA, Metropolitan training	\$25,000
Volunteering SA, State Volunteers Conference	\$27,000
Northern Volunteering, Training for volunteers	\$25,000
Northern Volunteering, Discretionary grant	\$12,000
Fleurieu Volunteer Resource Centre, Training for volunteers	\$25,000
Fleurieu Volunteer Resource Centre, Discretionary grant	\$12,000
Total	\$226,000
2003 – 2004	
Volunteering SA, Discretionary grant	\$55,000
Volunteering SA, Rural training	\$75,000
Volunteering SA, Metropolitan training	\$25,000
Northern volunteering, Training for volunteers	\$25,000
Northern volunteering, Discretionary grant	\$12,500
Fleurieu Volunteer Resource Centre, Training for volunteers	\$25,000
Fleurieu Volunteer Resource centre, Discretionary grant	\$12,500
Total	\$230,000

3. The Office for Volunteers administers one regular grants program entitled the Volunteers Support Fund. It is a small grants program for community organisations to assist volunteer programs for the ongoing benefit of the community. It has been an annual program since its inception in January 2002.

In the 2001-02 financial year, \$150,000 was approved for the program, and it was increased once-off to \$200,000 that year due to surplus funds.

In 2002-03 and 2003-04, \$150,000 was allocated to the Volunteers Support Fund.

STUDENT COMMUNITY INVOLVEMENT PROGRAM

351. **Dr McFETRIDGE:**

1. Has a student community involvement program recently been introduced and if so, what are the details and Government's financial contribution?

2. What Government initiatives have been implemented to make insurance more accessible to volunteer organisations?

The Hon. M.D. RANN: I have been advised:

1. The Senior Secondary Assessment Board of South Australia (SSABSA), as part of the Government's Social Inclusion Initiative 'Making the Connections', is developing new methods to recognise what students learn in the process of community participation.

The Government has committed \$420,000 over four years to the recognition of community-based learning through this initiative.

2. The State Government has taken a number of initiatives to help volunteer organisations manage their risks and organise public liability insurance. These initiatives include risk management training workshops and the introduction of a range of legislative reforms.

Further, the State Government has established the Volunteer Ministerial Advisory Group (responsible for driving the implementation of the *Advancing the Community Together* Volunteer Partnership) to explore additional opportunities to make insurance more accessible to volunteer organisations. This has included the preparation of an information paper for the Volunteer Sector on insurance and risk management.

SCHOOLS, SPORTING ACTIVITIES

353. **Dr McFETRIDGE:** In each year since 1999—

1. What has been the participation rate of primary and high school students in extra curricular sporting activities?

2. What are the details of any junior sporting activity subsidised by the Department?

3. What has been the extent of any Departmental expenditure on programs encouraging women, people with disabilities and multicultural groups to participate in sporting activities in the community?

The Hon. M.J. WRIGHT:

1. I have been advised by the Minister for Education and Children's Services that the scope of involvement of primary and high school students in extra-curricula sporting activities is broad and varied, with the participation of a large number of sporting organisations including the South Australian Primary Schools Amateur Sports Association (SAPSASA) and the South Australian Secondary Schools Sports Association (SASSSA).

While the latter organisations have conducted some research on this area, it is inconclusive for the involvement of students across all community sport organised activities, given the broad range of activities and the involvement of students across multiple activities.

The Australian Bureau of Statistics (ABS) study 'Children's Participation in Selected Cultural and Leisure Activities 2003' identified that 122,900 (62.9 per cent) young people aged 5-14 participated in organised sporting activities outside of school time.

"Participation in Exercise, Recreation and Sport" produced by the Australian Sports Commission covers the age range 15-24. In 2001 85.4 per cent were active in the previous 12 months and in 2002 this figure was 89.5 per cent.

Further details relating to these studies can be obtained by contacting the Australian Bureau of Statistics and the Australian Sports Commission.

2. After School Sports Centres are currently being piloted in South Australia. In the 2002-03 financial year six providers were selected to trial various delivery models of the program. The total budget of \$66,000 was allocated in 2002-03 and in 2003-04 \$87,480 was allocated. This funding allows the centres to offer low cost sporting experiences (\$2-\$4 per session) to junior participants.

The State and Local Government, through the Office for Recreation and Sport and Local Councils also support the *Growing for Gold Program*, which assists to provide young people with physical activity opportunities. I have provided the Honourable Member details of this program in my response to QON 360.

Each year, the Office for Recreation and Sport also supports a range of leadership programs for young people. These programs provide a range of incentives eg hats, whistles, clothing etc for participants. Approximately \$3,000 is allocated each financial year for this purpose.

A large component of Office for Recreation and Sport support to junior sport occurs through the agency's grant programs.

3. The following figures represent Office for Recreation and Sport expenditure on relevant program areas. This does not include any amount that may have been allocated via grant programs to assist organisations to provide sporting and active recreation services to people with a disability, women and multicultural groups.

1999-2000	Women	\$ 20,233
	Multicultural	\$ 18,802
	Disabilities	\$ 22,801
2000-01	Women	\$ 24,092
	Multicultural	\$ 21,263
	Disabilities	\$ 6,702
2001-02	Women	\$ 3,382
	Multicultural	\$ 7,499
	Disabilities	\$ 13,247
2002-03	Women	\$ 8,212
	Multicultural	\$ 13,655
	Disabilities	\$ 62,201

PHYSICAL ACTIVITY AND FITNESS

354. **Dr McFETRIDGE:** What studies have been undertaken and how much expenditure has been allocated to assess the level of physical activity and fitness amongst young children, teenagers, adults and the aged, respectively, in each year since 1999-2000?

The Hon. M.J. WRIGHT: The primary study into the physical activity levels of South Australians is the *South Australian Physical Activity Survey*. The Department of Human Services manages this study and information relating to the cost of this research should be sought from the Minister for Health.

The Office for Recreation and Sport contributes towards the national collection of information on participation in sport and recreation activities through the *Exercise, Recreation and Sport Survey* (ERASS). The Australian Sports Commission manages this research on behalf of all States and Territories.

The Office for Recreation and Sport has funded South Australia's contribution towards the national collection of ERASS data. Exclusive of GST, the funding has to date been:

2000-01	\$13,623
2001-02	\$15,000
2002-03	\$15,000
2003-04	\$4,950

The Office for Recreation and Sport has also contributed \$20,000 in 2003-04 to the *Multimedia Activity Recall for Children and Adolescents* (MARCA) study undertaken by the University of South Australia.

RECREATION AND SPORTING FACILITIES

355. **Dr McFETRIDGE:** What has been the extent of program funding to recreation and sporting facilities in rural and regional areas in each year since 1999-2000 and what are the corresponding details?

The Hon. M.J. WRIGHT: The State Government, through the Office for Recreation and Sport, administers the Active Club Program and the Community Recreation and Sport Facilities Program both of which provide significant funding to facilities in rural and regional areas.

The following are details of funding provided to these areas since 1999-2000 through the respective programs:

1999-2000	Active Club Program—\$194,300—94 organisations
	Community Recreation and Sport Facilities Program—\$480,773—12 organisations
2000-01	Active Club Program—\$388,870—107 organisations
	Community Recreation and Sport Facilities Program—\$3,823,257—118 organisations
2001-2002	Active Club Program—\$444,300—112 organisations
	Community Recreation and Sport Facilities Program—\$1,170,073—26 organisations
2002-2003	Active Club Program—\$437,550—100 organisations
	Community Recreation and Sport Facilities Program—\$1,339,600—24 organisations
2003-2004	Active Club Program—\$240,461—41 organisations (with second round still to be finalised)
	Community Recreation and Sport Facilities Program—\$2,069,700—27 organisations

SPORT AND RECREATION

360. **Dr McFETRIDGE:** How much funding is currently provided to Local Governments through the Active Communities Network and the Growing for Gold program?

The Hon. M.J. WRIGHT: The Active Communities Network (Community Recreation and Sport Network) program is a State, Local Government and local community partnership initiative.

In total \$107,615 has been allocated this financial year (2003-04) to the Community Recreation and Sport Network program—this includes the budget of \$97,615 that is allocated to the Active Community Field Officer's program.

Growing for Gold is a community based active recreation and sport program that aims to increase youth participation in physical activity programs through 'come and play' style activities held at local club venues.

In 2003-04 the Office for Recreation and Sport (ORS) allocated \$45,000 to the delivery of the *Growing for Gold* program to a range of Local Government areas.

ACTIVE AUSTRALIA PROGRAM

361. **Dr McFETRIDGE:** What percentage of Local Councils are currently involved in the Active Australia program?

The Hon. M.J. WRIGHT: The Active Australian Local Government Network was established and supported by the Australian Sports Commission from 1998 to 2003, as a national network of councils committed to improving the quality of the sporting opportunities available for their communities.

The network was strongly supported by councils in South Australia with, up until the networks demise in 2003, 47 councils in South Australia (69 per cent) registered as Active Australia Local Government Network members.

The Office for Recreation and Sport continues to work closely with Councils throughout the State, and has been instrumental in the establishment and development of the Local Government Recreation Forum, Community Sport and Recreation Networks and the Field Officer Program to replace the previous national Active Australia Local Government Network.

WENDY EY SCHOLARSHIP PROGRAM

362. **Dr McFETRIDGE:** How much Departmental funding is currently allocated to the Wendy Ey Scholarship Program?

The Hon. M.J. WRIGHT: The Wendy Ey Memorial Coaching Scholarship for Women has been established to encourage and assist female coaches to achieve success in their chosen sport.

Ten thousand dollars has been allocated to this program in the 2003-04 financial year.

Each successful applicant receives financial assistance of \$1,000 to assist with professional development, education costs and/or furthering their National Coaching Accreditation Scheme (NCAS) level.

Successful applicants will also receive a consultation advice session for a career in coaching and a discount of 25 per cent to attend any courses and/or functions conducted by the Office for Recreation and Sport—Volunteer and Coach Education Centre.

STATE FACILITIES FUND

363. **Dr McFETRIDGE:** What is the annual allocation to the State Facilities Fund?

The Hon. M.J. WRIGHT: The annual allocation to the State Facilities Fund is \$500,000 per annum.

INSURANCE, PUBLIC LIABILITY

364. **Dr McFETRIDGE:** What measures have been introduced to ensure that sport and recreational organisations have access to affordable public liability insurance?

The Hon. M.J. WRIGHT: The Government has undertaken a series of law reforms to address the availability and costs of insurance, including the *Recreational Services Act 2002*. The Office for Consumer and Business Affairs administers this legislation.

The Office for Recreation and Sport, in conjunction with SAICORP and the Office for Volunteers, have engaged Local Government Risk Services to develop and present a series of risk management workshops. Twenty workshops were conducted in metropolitan and regional South Australia during 2003.

Additionally, the Office for Recreation and Sport has targeted twelve communities to assist with the risk management process and a second round of workshops have now commenced.

The Office for Recreation and Sport is advocating groups consider the benefits of 'group' insurance to maximise their purchasing power. The Office is aware that some preliminary discussions have taken place regarding the possibility of similar sports joining together for the purpose of obtaining insurance in this way.

The Office for Recreation and Sport facilitated a major industry seminar in April this year, focussing on tort law reform.

The Office for Recreation and sport maintains a continuing dialogue with industry bodies and other government agencies to ensure that recreation and sport organisation are informed and aware of the situation regarding public liability insurance.

CODE OF PRACTICE

366. Dr McFETRIDGE:

1. Has a mandatory code of practice been introduced to encourage suppliers of defective goods or services to provide adequate compensation?

2. What changes to trader dispute resolution have been initiated over the last three years?

3. What changes to the occupational licensing system and industry sponsored codes have occurred over the last three years?

4. What consumer education programs have been initiated over the last three years and what are the details including budgeted expenditure programs?

The Hon. M.J. ATKINSON:

1. Has a mandatory code of practice been introduced to encourage suppliers of defective goods or services to provide adequate compensation?

There is no mandatory code of practice to encourage suppliers of defective goods or services to provide adequate compensation. Purchases of goods and services are covered under existing fair-trading legislation. The *Consumer Transactions Act 1972* and *Trade Practices Act 1979* provide specific protections for consumers buying goods and services and they cover defective goods and substandard services. These Acts provide for civil remedies for breaches of statutory warranty and, if a breach is found, compensation may include refund, repair or replacement for defective goods and services.

The Office of Consumer and Business Affairs (OCBA) encourages traders to fulfil their statutory warranty and refund obligations under fair trading legislation. Traders can learn of their warranty and refund obligations through the comprehensive business information on the OCBA website, the OCBA State-wide trader monitoring and education program (4,957 traders were visited in 2002-03), the Fair Trading Advisory Service that is available to traders and consumers, and its publication *The Good Business Guide*.

2. What changes to trader dispute resolution have been initiated over the last three years?

The scope of matters covered by OCBA's dispute resolutions services has been expanded administratively. Less serious disputes and complaints are now assessed and dealt with through a fast track process. This has resulted in about 71 per cent of cases being resolved within 30 business days and, in conciliated cases, 71 per cent of consumers receive full or partial redress. OCBA seeks consumer feedback about its dispute-resolution service and overall 91 per cent of respondents rate the service as good or excellent.

In September, 2002, responsibility for the handling of formal complaints against members of the real estate industry was transferred from the Real Estate Institute of South Australia to OCBA. For OCBA, this translated to a 184 per cent increase in real estate complaints from 62 in 2001-02 to 176 in 2002-03.

3. What changes to the occupational licensing system and industry sponsored codes have occurred over the last three years?

The occupational licensing system has been undergoing a process of refinement to reduce red tape and increase administrative efficiency for years. Three initiatives have been carried through in the last three years. These are:

Streamlined Renewal System and Audit Program

A streamlined renewal system was introduced where most licensees who have nothing to declare, such as criminal convictions or financial problems, can keep their licences current simply by paying their fees. This has reduced the administrative burden for licensees and allowed for the reallocation of OCBA staff from basic clerical processing to performing audit checks, such as failure by

licensees to disclose relevant information, and checks designed to detect unlicensed trading and other breaches.

Assisted Application Process

A system has been introduced whereby people can apply for a licence by telephoning or visiting the OCBA office, answering a series of oral questions (that are customised depending on the licence sought and the answers to previous questions), checking and signing a printed summary of the questions and answers, and lodging it with the fee and any listed supporting documents. This vastly simplifies the process for applicants and reduces delays that were previously caused by the need to follow up incorrect or incomplete applications. The applicant has the opportunity to ask any questions or clarify any issues with the officer assisting them. The system ensures greater accuracy of assessment.

This system is a first for occupational licensing in Australia and some of OCBA's interstate counterparts have expressed interest in it.

Internet Public Register

OCBA provides a searchable database of occupational licensees on the Internet. This enables consumers to check whether a person with whom they intend to deal is appropriately licensed. It assists consumers to find suitable tradesman by allowing searches by licence type and postcode. This, in turn, assists licensees to obtain business and will further support OCBA's work in reducing unlicensed trading.

As well as major changes to the administrative system, there have been minor regulatory changes to remove anomalies and streamline processes. Changes have been made to the prerequisite licensing criteria for various licence types.

4. What consumer education programs have been initiated over the last three years and what are the details, including budgeted expenditure programs?

The Office of Consumer and Business Affairs (OCBA) has a legislated obligation to provide education and information for the public. In this regard the Office delivers a range of programs, training, information and publicity services to the public of South Australia. The greater part of this delivery is provided by the Education and Information Services Branch of OCBA, but education also forms an important part of the work performed by consumer affairs advisers when dealing with individuals' inquiries and complaints and the work of compliance officers when monitoring trading activity in the field.

The Office of Consumer and Business Affairs regularly:

- gives talks on consumer affairs-related issues to schools, TAFE and organisations such as Probus clubs, Neighbourhood Watch, Salvation Army, Rotary etc. These are undertaken as requested by organisations or as identified as part of a campaign
- gives regular radio interviews as follows:
 - Fresh FM (twice monthly), a community station that targets 13-30 year olds.
 - (monthly) on R.P.H.—a station that targets the visually impaired. Information provided on consumer rights and current issues.
 - 5AA (weekly), A.B.C. (fortnightly), Radio Adelaide (fortnightly) about consumer rights and current issues
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- participates in regional field days, that provides the opportunity to deliver educational materials and advise the public on particular consumer issues on a large scale.
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 - produced the *One Step Ahead* kit containing consumer information for older persons. Cost of production: \$13,200;
 - produced fact sheets on pyramid selling and introduction agencies at a cost of \$1,660;
 - ran its 'Use a licensed tradesperson' campaign. This included T.V. and radio advertising – including a mail out to more than 400,000 households together with bumper stickers and revamped Licence Cards for tradesman. Cost: \$11,000 (brochure); \$18,200 (media);
 - conducted a series of broadcasts on the northern metropolitan radio station P.B.A.-FM aimed to raise awareness of OCBA services amongst Spanish, Serbian and Russian speakers. The project was a collaborative initiative of OCBA and the Multi-cultural Writers Association of Australia. Subjects covered in the broadcasts included contracts, warranties, secondhand cars, lay-by sales, tenancies and advertising;
 - ran a Y2K Millennium Bug information campaign in TV, radio and print media and produced written materials to support it. Cost: \$2,600.
- In 2000, the Office of Consumer and Business Affairs:
- developed a brochure entitled *Buying a Used Vehicle*. Cost \$1,800;
 - focused, for National Consumers Day 2000, on youth as consumers and developed the Before You Splash Your Cash youth initiative; a website, a poster and a fold up pocket guide. www.b4uSplashCash.ocba.sa.gov.au. Cost \$20,000;
 - produced a Door-to-Door Sales Fact Sheet at a cost of \$1,000;
 - provided Business Migrants and New Arrivals with training and education sessions at Adelaide Institute with interpreters, in six languages;
 - ran a Consumer Education Workshop that involved working with the Special Education and Disability Studies School at Flinders University. The course attracted 50 community leaders who work with disabled, homeless, elderly, young, unemployed, ethnic communities, aboriginal and low-income families;
 - ran a workshop for senior citizens on consumer issues in Largs Bay;
 - assisted the Australian Banking Industry Ombudsman with the content, design and layout of a youth and banking issues publication that was distributed nationally 2000-2001.
- In 2001, the Office of Consumer and Business Affairs:
- produced Information Sheets in several languages for Temporary Protection Visa Holders with an overview of consumer issues that may affect them. Project cost: \$2,800;
 - produced and distributed an information fact sheet on pre-paid funerals at a cost of \$660;
 - participated in a low-income support program by giving a workshop for interpreters and Auslan lecturers on consumer issues at Noarlunga;
 - produced and distributed a Fact Sheet on mobile phones at a cost of \$500;
 - produced and distributed a Fact Sheet entitled Getting on the Internet at a cost of \$500;
- In 2002, the Office of Consumer and Business Affairs:
- added a new section to the OCBA website for those who speak languages other than English. The section involves translations of website content into 11 languages <http://www.ocba.sa.gov.au/lote/>;
 - updated and reprinted two brochures: *Buying a Home* and *Building a Home*. Cost: \$2600 each. The *One Step Ahead* kit for older persons was also reproduced at a cost of \$13,245;
 - presented a paper at the Overseas Qualifications Forum. This paper was aimed at helping migrants in the process of becoming a licensed tradesman;
 - developed an online educational program for students in the middle years of schooling, called Spendwell. The interactive online education program for young people from the ages of 11-15 has been released. The program links with the OCBA
- B4usplashcash website, and enables individual interaction or class-based learning;
- The site was trailed in 20 schools across South Australia, including metropolitan and regional locations, state and private schools. The feedback was positive and provided relevant advice which was incorporated into the site. Spendwell provides:
- Information about rights and responsibilities when shopping or renting lodging;
 - Help in understanding the issues of owning a mobile phone;
 - Facts about warranties, refund rights, and the *Fair Trading Act 1987*;
 - Project ideas;
 - On-line quizzes;
 - Interactive problem solving;
 - Resources for teachers.
- Spendwell has been registered with major search engines and the Internet and intranet sites of government agencies. The University of SA has used Spendwell with student teachers as part of their curriculum studies.
- Spendwell has been nominated for an award through the national AIMA awards scheme, which recognises notable media or online education materials. Cost: \$43,000.
- Spendwell was also trailed with remote indigenous communities in 2003. A CD ROM version was also produced for classes with limited Internet access at a cost of \$800. Spendwell was upgraded in 2004 to include additional content at a cost of \$16,600.
- reprinted and updated *The Little Black Book of SCAMS*. It has been re-launched with new content, fridge magnets and a promotional flyer at a cost of \$9,800. This is a national publication;
 - offered residential tenancy seminars to overseas student groups;
 - developed a new booklet, *The Smart Consumer*, that encompassed an overview of Consumer Affairs issues. This publication was distributed to University Students with their induction packages at a cost of \$18,000.
- In 2003, the Office of Consumer and Business Affairs:
- participated in a workshop for financial counsellors and youth workers engaged in the Pt Augusta Social Vision Group on the use of the Spendwell website, budgeting and consumer rights;
 - provided a series of information sessions conducted in Port Augusta designed to assist the corporate governance of indigenous associations;
 - conducted a regional program, principally in the South-East, of sessions for people of non-English speaking backgrounds to help relations between agents, property managers and tenants;
 - re-developed the *Before you Splash your Cash* website by adding a 'Managing finances' section, including a budget calculator, at a cost of \$16,500;
 - established a strong partnership with the A.C.C.C. and ATSC to support Indigenous communities across SA. Strong links have also been made with the Department of Education and Children's Services (DECS) to reach Indigenous communities. OCBA participated in a collaborative visit to Ceduna, Yalata, Nundroo, Penong, Smoky Bay and Streaky Bay to provide consumer education together with targeted trader visits. Reports from Financial counsellors (FAYS) indicate that complaints to them have reduced since OCBA's visit by 75 per cent.
- In 2004, the Office of Consumer and Business Affairs:
- participated in a joint project with the Crime Prevention Unit to produce a brochure about credit card fraud at a cost of \$6,800;
 - started developing an education program for consumers about identity theft. OCBA is collaborating with SAPOL and a cross-government working party. A new section was added to the OCBA website. Content has been drafted for a flyer insert to be included with all birth certificates. The flyer outlines the importance of protecting a birth certificate and gives suggestions for protecting personal information. Shared cost of brochure: \$1,200.
 - developed a Northern Country Remote Areas Education Program. This program is designed to educate traders on their responsibilities, and consumers on their rights and responsibilities, in the northern regions of the State, with a particular emphasis on promoting strong relationships between traders and indigenous consumers. This program also incorporates a visit to eight schools situated in northern remote areas and will include education sessions for senior secondary students.

	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	Total
Project costs (excl. salaries)					(as at 27/5/04)	
Consumer Education	22,690	36,876	25,247	19,427	9,479	113,719
Publicity & Promotion	48,373	45,158	86,199	46,185	24,078	249,993
Printing	74,443	55,444	88,654	53,008	35,811	307,360

In addition to these specific budget allocations, seven FTEs perform functions that are dedicated to the educational outcomes for OCBA, as follows:

- Education, Research and Evaluation (1 x ASO 7; 1 x ASO 5; 1 x ASO 3);
- Information Resources (website and publications) (1 x ASO 6; 3 x ASO 3);

As indicated above, in addition the work of many of the staff providing advice and the staff monitoring compliance has a strong educational component.

Although a big proportion of the cost of education is directed at consumers, some strategies are directed towards traders about their obligations. This assists in achieving fair trading in the market by targeting those who deliver the goods or services repetitively, as opposed to consumers who may only purchase the goods or services a few times. Examples:

- A continuous monitoring program by trade measurement officers across the State aims to detect breaches of trade measurement legislation but also acts as a means of educating traders about their legislative responsibilities.
- Fair trading, compliance and education officers also travel throughout metropolitan areas and to regional and outback centres to educate traders about general trading regulations (e.g. refunds, warranties). In this way, compliance and education work are integrated in continuous monitoring programs that have, over the past three years, focused on second-hand vehicle dealing, refund rights, unlicensed building work and other areas of high consumer complaint.
- Quarterly educational newsletters to the about 80,000 occupational licensees regulated by OCBA.
- Fifty presentations per year on tenancies issues across metropolitan and regional areas (directed at property managers and landlords); delivery of two of the nine modules at TAFE in the property management course; seven workshops on landlords' responsibilities per year delivered through WEA.
- Funding for industry groups to deliver advisory services (real estate) and professional development (real estate, conveyancers).

OFFICE OF CONSUMER AND BUSINESS AFFAIRS, FUNDING

367. **Dr McFETRIDGE:** In each year since 1999—

1. How much funding was allocated to publications, videos, talks, school programs and media strategies by OCBA?

2. What are details and costs of any consumer awareness strategy and program implemented by OCBA Government to address consumer issues affecting young people, people with disabilities, the ageing population, provision of information in community languages, migrant and aboriginal people?

The Hon. M.J. ATKINSON: I have received this advice:

The Office of Consumer and Business Affairs (OCBA) has a legislated obligation to provide education and information to the public. OCBA delivers a range of programs, training, information and publicity services to the public of South Australia. Most of this delivery is provided by the Education and Information Services Branch of OCBA, but education also forms an important component of the work performed by consumer affairs advisors when dealing with individuals' inquiries and complaints, and the work of compliance officers when monitoring trading activity in the field.

Specific consumer awareness strategies and programs carried out by the Office of Consumer and Business Affairs to deal with consumer issues affecting young people, people with disabilities, the ageing population, provision of information in community languages, and migrant and aboriginal people, since 1999, are described below. Where no cost is indicated, the initiative was either absorbed within general funding allocations or did not require a cost over and above staff's time.

On a continuing basis, the Office of Consumer and Business Affairs:

- gives talks on consumer affairs-related issues to schools, TAFE

and organisations such as Probus clubs, Neighbourhood Watch, Salvation Army, Rotary etc. These are undertaken as requested by organisations or as identified as part of a campaign

- gives regular radio interviews as follows:
 - Fresh F.M. (twice monthly), a community station that targets 13-30 year olds.
 - (monthly) on R.P.H.—a station that targets the visually impaired. Information provided on consumer rights and current issues.
 - 5.A.A. (weekly), A.B.C. (fortnightly), Radio Adelaide (fortnightly) about consumer rights and current issues
 - community stations E.B.I. (ethnic) (weekly) and ENA (translated into Greek) (fortnightly) about consumer rights and current issues;
- airs regular Community Service Announcements on Fresh F.M. radio on refund rights, lay-bys, renting, using a licensed tradesman, buying or building a home or both and avoiding mobile-phone debt;
- meets the cost of providing interpreters for those requiring interpreter services when seeking advice from OCBA;
- contributes quarterly to the Home Buyers Seminars. These seminars attract several hundred attendees on each occasion and provide independent advice about home buying. Cost: \$8,000 *per annum*;
- produces and distributes educational materials about banned or dangerous goods as the need arises. This also involves advertising, talks on the radio and issue of press releases. Examples include the national booklet, *Safe Toys for Kids*. This is distributed throughout S.A. to Child and Youth Health Centres and Hospitals at a cost of \$5,000 to \$6,000 *per annum*. OCBA also distributes a booklet entitled *Keeping Baby Safe*, which is distributed throughout South Australia to Child and Youth Health Centres and hospitals at a cost of \$6,000 *per annum*;
- participates in regional field days, that gives the opportunity to deliver educational materials and advise the public about particular consumer issues on a large scale.

Some of the specific projects described below commenced in one calendar year but were completed in another and, for ease of reading, this is not reflected in the summary.

In 1999 the Office of Consumer and Business Affairs:

- participated in a national working party for the International Year Of Older Persons, chaired by the ACT. The focus was on scams affecting older people. The *Little Black Book of Scams* was printed, launched and distributed. Cost: \$8,000;
- produced the *One Step Ahead* kit containing consumer information for older persons. Cost of production: \$13,200;
- produced fact sheets on pyramid selling and introduction agencies at a cost of \$1,660;
- ran its 'Use a licensed tradesperson' campaign. This included TV and radio advertising – including a mail out to more than 400,000 households together with bumper stickers and re-vamped Licence Cards for tradesman. Cost: \$11,000 (brochure); \$18,200 (media);
- conducted a series of broadcasts on the northern metropolitan radio station PBA-FM aimed to raise awareness of OCBA services amongst Spanish, Serbian and Russian speakers. The project was a collaborative initiative of OCBA and the Multi-cultural Writers Association of Australia. Subjects covered in the broadcasts included contracts, warranties, secondhand cars, lay-by sales, tenancies and advertising;
- ran a Y2K Millennium Bug information campaign in TV, radio and print media and produced written materials to support it. Cost: \$2,600;

In 2000, the Office of Consumer and Business Affairs:

- developed a brochure entitled *Buying a Used Vehicle* at a cost of \$1,800;
- focused, for National Consumers Day 2000, on youth as consumers and developed the Before You Splash Your Cash youth initiative; a website, a poster and a fold up pocket guide. www.b4uSplashCash.ocba.sa.gov.au at a cost of \$20,000;

- produced a Door-to-Door Sales Fact Sheet at a cost of \$1,000.
- provided Business Migrants and New Arrivals with training and education sessions at Adelaide Institute with interpreters, in six languages.
- ran a Consumer Education Workshop, which involved working with the Special Education and Disability Studies School at Flinders University. The course attracted 50 community leaders who work with disabled, homeless, elderly, young, unemployed, ethnic communities, aboriginal and low-income families.
- ran a workshop for senior citizens on consumer issues in Largs Bay.
- helped the Australian Banking Industry Ombudsman with the content, design and layout of a youth and banking issues publication that was distributed nationally 2000-2001.

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- produced Information Sheets in several languages for Temporary Protection Visa Holders with an overview of consumer issues that may affect them. Project cost: \$2,800.
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In 2002, the Office of Consumer and Business Affairs:

- added a new section to the OCBA website for those who speak languages other than English. The section involves translations of website content into 11 languages; <http://www.ocba.sa.gov.au/lote/>
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- Quarterly educational newsletters to the about 80,000 occupational licensees regulated by OCBA
- Fifty presentations per year on tenancies issues across metropolitan and regional areas (directed at property managers and landlords); delivery of two of the nine modules at TAFE in the property management course; seven workshops on landlords' responsibilities per year delivered through WEA.
- Funding for industry groups to deliver advisory services (real estate) and professional development (real estate, conveyancers).

OFFICE OF CONSUMER AND BUSINESS AFFAIRS

368. **Dr McFETRIDGE:**

1. How many forms are small businesses required to return to the Office of Consumer and Business Affairs to comply with current regulatory and legislative requirements and has this increased over the past three years?

2. What changes have occurred to casual mall leases over the past three years?

3. What measures have recently been introduced to assist consumers with home building insurance contracts?

The Hon. M.J. ATKINSON: I have received this advice:

1. The Trade Measurement Section requires new individuals and companies (new applicants) seeking Instrument Servicing and Public Weighbridge licenses to submit application forms, which must be accompanied by a fee. License renewals are generated through OCBA, in the form of an invoice and sent to the license holder. They are then required to ensure the data is correct, advise of any changes in writing and sign and return the form with the prescribed fee. Public Weighbridge licensees and Instrument Servicing Licensees annually return a Verification Statement. There have been no increases in the number of forms required from license holders by the Trade Measurement Section in the last three years.

With occupational licensing, the number of forms that a business must complete and lodge with OCBA to comply with its legislative requirements varies depending on the type of business and its individual characteristics. Businesses that do not use a business name in an trade not licensed by OCBA, do not need to lodge any forms with OCBA. Those trades that are licensed by OCBA must initially lodge an application form to obtain a licence, and then a periodic return (renewal) form each year after that. The number of forms that must be lodged has not reduced over the last three years but the forms have been vastly simplified to reduce the compliance burden on businesses. Applications for new licences may now be undertaken over the phone, with completed forms then sent to the licensee for signing and returning, rather than being filled out by the licensee.

The holder of a business name registration must submit a renewal once every three years. This can be done online, by post or by personal attendance at an OCBA office. The option of submitting a renewal online is an initiative that has occurred in the last three years.

2. The *Retail and Commercial Leases (Casual Mall Licenses) Amendment Act 2001* (No. 63 of 2001), came into operation on 1 September, 2002. This amendment brought in the Casual Mall Licensing Code, which governs the leasing of shopping centre mall areas to casual/short-term lessees.

The code, which is mandatory, provides additional protection to sitting tenants by reducing the impact that the leasing of mall space to casual/short term lessees could have on established businesses. A casual lessee cannot be sited in close proximity to a sitting tenant that is providing essentially the same goods or services. The casual tenant cannot be sited in a way that interferes with the traffic flow or blocks sightlines to an established business.

The code sets out how contributions paid by casual tenants towards outgoings are to be applied by the lessor towards reducing the total cost of outgoings charged to sitting tenants. This leads to a more equity in the recovery of outgoings by the lessor as well as a cost reduction for sitting tenants.

The Retail Shop Leases Advisory Committee, established under the *Retail and Commercial Leases Act, 1995* to advise the Minister for Consumer Affairs on retail leasing issues last met in December,

2003, and discussed the issue of casual mall leasing. The Office of Consumer and Business Affairs reported only a handful of inquiries about the code. Members of the committee were invited to put concerns about the code in writing and no adverse comment has been received to date.

Printed copies of the code are available from the Office of Consumer and Business Affairs, or can be downloaded from the website at www.ocba.sa.gov.au

3. Consumers are not required to take out home building insurance contracts. Builders undertaking domestic building work on behalf of a consumer in excess of \$12,000 and which needs council approval, are required to take out policies for the benefit of the consumer. These policies insure against non-completion of the work, or specified defects occurring within five years of the work's completion, where the builder has died, disappeared or become bankrupt. It was builders, rather than consumers, who experienced difficulties in the home building insurance market in recent times. This followed the collapse of F.A.I. (H.I.H.), which was one of two insurers in the South Australian market. To help builders during this period and provide continuity of building work, I announced my intention to consider applications for exemption from the insurance requirements where a builder could demonstrate hardship in the process of applying for new insurance, and where the builder had put in place adequate measures to reduce the risk of any loss to consumers. Since mid-2002, I have issued over one hundred exemptions, with consumer's consent. The number of exemptions sought has reduced to one per month now that the insurance market has stabilised significantly.

The H.I.H. Assistance Scheme was established in 2001, to ensure that consumers did not suffer hardship as a result of the collapse of H.I.H. The scheme aims to place consumers in the same position they would have been in, had H.I.H. not collapsed. Under the scheme the Government stands in the shoes of H.I.H. and honours H.I.H. building indemnity insurance policies. To date the scheme has provided more than \$1.4 million dollars of compensation to consumers.

At a national level, representatives from the States and Territories are working towards harmonisation of building indemnity insurance laws for the benefit of consumers and builders. This is designed to achieve an environment in which insurers are not required to tailor policies to State-based laws, and are more inclined to enter into the market on a national basis. To-date, the primary changes have occurred to Victorian and New South Wales schemes, which have aligned themselves closely to the South Australian scheme. Australian and international insurers have recently expressed interest in entering into the South Australian market. This competition is likely to have indirect benefits to consumers, as builders will have greater choice and availability of insurer.

BIRTH, DEATH AND MARRIAGE CERTIFICATES

369. **Dr McFETRIDGE:** What has been the cost of birth, marriage and death certificate extracts, respectively, over the past five years and why have they increased?

The Hon. M.J. ATKINSON: I have received this advice from the Registrar of Births, Deaths and Marriages:

The same fee is charged for standard birth, death and marriage certificates and for all types of extracts. The applicable fees for the last five years are as follows:

Year	Fee (\$)
1999	29
2000	30
2001	31
2002	32
2003	33

Extracts are available for both births and deaths. One style of birth extract is available, giving minimal details of the birth. Death extracts do not include the full range of information available on a standard death certificate. There are three types:

1. Similar to a full death certificate but omitting the cause of death

2. 'fact of death extract' - minimal information includes surname and given names of the deceased, date of death, place of death and registration number;

3. 'fact and cause of death' extract - minimal personal information but includes cause of death.

Extracts are not generally acceptable for proof of identity or legal purposes, such as applying for a passport, driving licence, probate, claims for life insurance, superannuation etc.

Where the prices have increased they have generally done so in line with the average fee increase across Government. Like most government fees they generally rise by a C.P.I. factor each year.

Birth and marriage certificates are considered primary documents of identification and marital status in Australia. Death certificates are required in virtually all estate-related transactions after a death. Obtaining such certificates is no longer discretionary for most people. When setting fees for these certificates, regard is given to their essential nature and to them increasingly being required to obtain Centrelink benefits, utility concessions and the like. Recent policy change in the Passports Office has meant that memento wedding certificates (issued at the ceremony) are no longer accepted as appropriate proof of identity and marital status.

The fees set should reflect their essential nature and the Births, Deaths and Marriages Registration Office recognises that the fees must be at an affordable level acceptable to the public. There will be no increase in the fees for standard birth, death and marriage certificates and extracts for the 2004-05 financial year.

The Births, Deaths and Marriages Registration Office derives most of its revenue from the fees applicable to certificate sales. Revenue raised from fees charged by the Registry Office is used to fund the comprehensive registration and certificate services provided by the office.

In addition the fees are also utilised to contribute to the value-added services provided by the office:

- Identity fraud detection and prevention initiatives (via liaison with Federal and State law enforcement)
- Computerisation of older records
- Providing improved access to B.D.M. services via the development of innovative service delivery, such as on-line certificate application services
- Distribution of information about the services provided by the Office to clients.
- Improving service efficiency via hardware and software maintenance/development and better staff training.

STRATA TITLE COMPLAINTS

370. **Dr McFETRIDGE:** In each year since 1999:

1. How many complaints were received by OCBA from strata title tenants?
2. How many strata title tenant complaints were regarding body corporate managers?
3. What percentage of these complaints were referred to the Magistrates Court?

The Hon. M.J. ATKINSON:

1. and 2. It is a common misperception that the Office for Consumer and Business Affairs (OCBA) is responsible for receiving and investigating complaints from Strata Title tenants. Nevertheless, from time to time, Strata Title tenants do complain to OCBA.

Statistics collected by OCBA show that, in the period 1999 to the present, there were 22 complaints about strata title properties and body corporate managers:

1/1/1999 - 31/12/99	3
1/1-2000 - 31/12/00	2
1/1/01 - 31/12/01	1
1/1/02 - 31/12/02	5
1/1/03 - 31/12/03	8
1/1/04 - 3/6/04	3

The statistics do not record the specific origins of these complaints. There are several possible sources, including owners, tenants and other real estate industry participants.

3. There is no formal arrangement between OCBA and the Magistrates Courts for specific referral of complaints to the courts. If an individual dispute cannot be resolved by negotiation, parties may be given advice about other available options, including the option to pursue the matter in the courts. It is up to the parties then to choose whether or not they wish to pursue the dispute in the courts, or to pursue any other option that may be available. As the parties make their decisions about whether or not to pursue other options after the OCBA file is closed, OCBA does not have access to the information that would allow it to keep records of the numbers of matters that go on for resolution in the courts.

ROAD GANGS

372. **The Hon. G.M. GUNN:** Is it the intention of the Government to increase the number of road gangs in the far north area of South Australia?

The Hon. P.L. WHITE: The State Government is charged with maintaining 10,000 km of unsealed roads. This is currently delivered through eight Maintenance Patrols and two Re-sheeting Gangs and no increase in the number of road gangs is required. As stated previously four additional jobs have been made to the road gangs.

SCHOOLS, STURT STREET PRIMARY

374. **Ms CHAPMAN:**

1. Why were there only 19 students enrolled at the Sturt Street Community School at the beginning of the school year and when are further enrolments expected?

2. What safety measures are in place to protect students and staff of the Sturt Street Community School while the renovations are in progress?

The Hon. J.D. LOMAX-SMITH: Enrolments have been accepted continuously throughout the 2004 school year. As at 7 June 2004, there have been 109 enrolments at the Sturt Street Community School from childcare to year 3. Of the 109 enrolments, 19 children from reception to year 3 began school in January 2004, 7 preschool children and a further 6 reception students started at the beginning of term 2, with the remainder of enrolments for 2004 scheduled to begin in terms 3 and 4.

Appropriate measures have been taken to ensure the safety and well being of children, staff and visitors to the site while construction continues.

The refurbished Multipurpose Suite on Maxwell Street has accommodated those children attending the school in terms 1 and 2. It is a stand-alone building that is isolated from the construction area and can be accessed solely from the Maxwell Suite entrance.

Occupation of the eastern section of the lower level of the main building has begun. This area has been isolated via restricted access doors from other sections of the main building currently under construction.

SCHOOLS, OUT OF HOURS CARE

376. **Ms CHAPMAN:** What new controls for 'Out of School Hours Care' services in South Australia are being considered and why are more controls necessary?

The Hon. J.D. LOMAX-SMITH: The Government has announced that it will introduce legislation for Out of School Hours Care. I can confirm there is industry and community support, and a clear imperative, for a licensing regime for services.

The rationale for regulating OSHC programs is based on the need:

- to protect the health and safety of children in school age care programs
- for a system in which external complaints and breaches of standards can be acted upon effectively and
- to ensure the public confidence in school-age care programs that will enhance the health and well-being of children.

It is envisaged the proposed licensing regime would cover the essential requirements for staffing, facilities, health and safety, the program of activities and administration.

The Australian Government introduced the national quality assurance process on the understanding it would be supported by a state regulatory regime for Out of School Hours Care services.

The introduction of national police screening checks for all staff and volunteers in Out of School Hours Care services, along with training in mandatory notification of child abuse, will ensure parents and the community can have confidence in child care services for school age children.

Any requirements for Out of School Hours Care services will be implemented through a system that is consistent with the processes that already exist for other child care services, such as child care centres, Family Day Care and babysitting agencies.

The exact mechanism is yet to be decided. Submissions and comment on the proposed licensing system will be sought widely from parents, staff, service providers, other government agencies and the community in preparing legislation.

Tasmania, Queensland, Western Australia and the ACT already have a licensing regime in place for Out of School Hours Care; South Australian parents will be assured they too have a guarantee of minimum standards for child care by the introduction of this legislation.

SCHOOLS, LEAVING AGE

377. **Ms CHAPMAN:** How many extra 15 year old students attended school during 2003 as a direct result of increasing the school leaving age from 15 to 16 years?

The Hon. J.D. LOMAX-SMITH: There were 12,675 15 year old students in government schools in August 2003. This represents an extra 425 students (a 3.5% increase) more than would have been expected based on previous progression rates of 14 year olds.

There was no significant change in the number of 15 year old students in non-government schools.

SCHOOLS, GOVERNMENT SAFER SCHOOLS PROGRAM

378. **Ms CHAPMAN:** With respect to the Government's Safer School project:

- how many people were arrested on State, Catholic and Independent School grounds, respectively, in 2002 and 2003;
- what charges and convictions were obtained;
- what other charges and convictions were obtained from offences committed on school grounds;
- what arrangements are in place to ensure that there are adequate police patrols during school terms and school holidays; and
- what are the details of any private security service contracts for patrolling school grounds?

The Hon. J.D. LOMAX-SMITH: The former Safer Schools project ceased operation in October 2002. The new School Care Centre commenced operation at the Education Development Centre in Hindmarsh in November 2002.

Parts (a) (b) & (c)

DECS does not keep consolidated records of police charges and court convictions. Arrests, charges and court convictions are matters for police and courts.

Part (d)

Continual assessment of all government educational sites identify those at high risk at all times, including school holidays. Collaboration between DECS and SAPOL is an ongoing feature of School Care's role. Police resources and DECS appointed security patrols work together to provide site protection during school holiday periods. Police response may include use of the helicopter to assist ground patrols and specific directed patrolling of high risk sites.

Part (e)

Private security patrols from Chubb Security and Group 4 currently provide a patrol service to 201 government educational sites in the metropolitan area. These sites are considered to be high risk at the present time. Patrol schedules are adjusted according to a continuous assessment of the risk.

SCHOOL FEES

382. **Ms CHAPMAN:**

1. Will non-recipients of School Card who have made voluntary school fee payments be given a refund and if not, why not?

2. Why were school fee invoices issued before the parents were polled and given advice of their new obligations concerning voluntary charges, and how will this situation be rectified in the future?

3. Will students who are in default of either the voluntary or mandatory component of their school fee payment be refused access to school computers and will they have the same computer access as students who have paid a voluntary payment?

The Hon. J.D. LOMAX-SMITH:

1. The current legislation sets a maximum legally recoverable amount, known as the 'standard sum', being \$166 for primary schools and \$223 for secondary schools. In addition to the standard sum, the School Council can, if given majority support following a poll of all families, apply to the Chief Executive, Department of Education and Children's Services, for the authority to recover an increased amount, known as the 'prescribed sum'.

Schools are able to set their materials and services charge above the standard or prescribed sum. While additional charges above the legally enforceable amount would not be recoverable as a debt, if not paid, they still constitute part of the materials and services charge.

Any voluntary payment above the legally enforceable amount, by families not in recipient of School Card, would still be considered payment of the invoiced materials and services charge and non-refundable.

2. In order to increase the legally enforceable amount to above the standard sum, School Councils are required to gain a majority vote through a poll of all families affected by the increased charge, and to then seek approval from the Chief Executive of the Department of Education and Children's Services.

If a school did not conduct a poll prior to the issuing of invoices only the standard sum is recoverable as a debt and any amount above the standard sum is voluntary.

3. Section 106A (9) states that 'a student is not to be refused materials and services considered necessary for curricular activities that form part of the core of activities in which students are required to participate by reason of non-payment of a materials and services charge.'

Based on this, a student who is in default on payment of their materials and services charge will have the same computer access for curricular activities as a student who has paid the materials and services charge.

SCHOOLS, FUNDING

385. **Ms CHAPMAN:** Is the \$2 million annual allocation introduced by the previous government to support schools with students who do poorly in literacy and numeracy tests being maintained?

The Hon. J.D. LOMAX-SMITH: The \$2 million allocated each year will be maintained in 2005. It will be distributed to schools with students who do poorly in the 2004 Literacy and Numeracy tests.

This amount is in addition to the recent government announcement of a \$35 million Early Years Literacy Program.

PRIORITY SCHOOLS PROGRAM

386. **Ms CHAPMAN:** Has the 'Priority Schools Program' been implemented and, if not, why not?

The Hon. J.D. LOMAX-SMITH: The government has a demonstrated focus on school improvement and providing priority support in areas where it is most needed. The Priority Schools Program has been implemented to support schools in addressing specific issues that need improvement where they are identified by the Principal and the District Director. This work occurs within the larger context of supporting systems of school improvement for all sites.

Details of the program were provided by the previous minister in her response to questions 83 and 155.

SCHOOLS, CAPITAL WORKS

388. **Ms CHAPMAN:** Will the delays to capital works in schools announced on 15 January 2004 proceed and will any costs incurred by schools because of the delay be met by the department?

The Hon. J.D. LOMAX-SMITH: The Department of Education and Children's Services' projects with tender deferral dates announced in January 2004 have been rescheduled and will proceed. The department will meet costs, if any, associated with the delays.

STUDENT RETENTION RATE

389. **Ms CHAPMAN:** Did the 57 per cent retention rate of students reaching Year 12 in South Australia referred to by the minister on 27 January include part-time students and if not, why not?

390. **Ms CHAPMAN:** Did the 56 per cent retention rate of students reaching Year 12 in South Australia referred to by the Premier on 6 February include part-time students and if not, why not?

The Hon. J.D. LOMAX-SMITH:

Combined response:

The figures referred to by the former minister and the Premier on retention rates of students reaching year 12 in South Australia include only full-time students.

The figures come from a national data set (ABS Schools) that traditionally does not include part-time students in any retention rate calculations.

COMMUNITY PROGRAMS

392. **Dr McFETRIDGE:** Which community programs, grants, services or assistance provided by the department in each of the years 1999-2000, 2000-01, 2001-02 and 2002-03 will no longer continue in the current and future financial years?

The Hon. M.J. WRIGHT: The Olympic Athlete Ambassador program conducted in the lead up to the Sydney 2000 Olympic Games concluded in September 2000.

The Client Consultant Model within the Office for Recreation and Sport was discontinued to meet evolving industry needs and a new business improvement model was adopted in 2003 to provide a more efficient, effective and comprehensive service.

Year 7 Sports Camp Program was conducted from 1990-2001 in conjunction with the Department of Education and Children's Services (DECS) and state sporting associations.

In 2001 a decision was made to discontinue the Year 7 Sports Camp Program due to the number of sports involved in interstate exchanges.

SPORTS GRANTS TASKFORCE

393. **Dr McFETRIDGE:** With respect to the Sports Grants Taskforce established in December 2003—

(a) How much government expenditure was allocated to establish it;

(b) Which persons representing which organisations were on the Taskforce;

(c) What were its objectives and outcomes;

(d) What recommendations were made by the Taskforce to government and have they been implemented and if not, when will they be implemented; and

(e) What are the associated costs or savings to government for implementing or not implementing the Taskforce recommendations?

The Hon. M.J. WRIGHT:

(a) No expenditure was allocated to the establishment of the Ministerial Advisory Committee for the Grant Program Review.

(b) Membership of the Ministerial Advisory Council comprised:

- Mr Graeme Alder, Chief Executive, LeisureCo
- Dr Phil Hamdorf, Executive Director, Office for Recreation and Sport
- Ms Jenny Hughes, Director, Policy and Special Projects, Office for Recreation and Sport
- Mayor Brian Hurn, Barossa Council
- Dr Rick Sarre, Associate Professor, University of South Australia
- Mr Murray Tippett, former President, Sport SA
- Mr Peter Vandeppeer, President, Recreation SA

(c) & (d) I have provided information pertaining to both of these questions in a previous response to the member for Morphett, namely QON No. 356.

(e) The recommendations from the Grant Program Review aims to ensure that the money spent on recreation and sport is targeted more effectively. As a result, there are no budgetary effects, only changes in the funding criteria and guidelines.

OFFICE OF CONSUMER AND BUSINESS AFFAIRS

395. **Dr McFETRIDGE:** What safeguards accompanying the introduction of new technologies have recently been introduced to protect consumer interests?

The Hon. M.J. ATKINSON: I have received this advice:

The Office of Consumer and Business Affairs (OCBA) is mindful and vigilant about the possible pitfalls that consumers using new technologies can face.

Consumer Affairs officers are trained to encourage consumers to be aware of new and emerging technologies and to direct consumers to the OCBA website for advice, or to provide them with OCBA publications such as the Smart Consumer booklet, ID Theft (prepared in conjunction with SAPol), and the Shopping from Home brochures. These publications give guidance about the ways that consumers can protect themselves against scams and fraud associated with new technologies such as electronic-commerce (e-commerce).

At the Ministerial Council on Consumer Affairs meeting of 2 August, 2002, I agreed that a national working party of fair trading officials should examine consumer protection matters raised by electronic commerce. OCBA is represented on the working party that is currently investigating three projects and looking at e-commerce (electronic commerce), m-commerce (mobile commerce) and web seals-of-approval.

E-commerce is business conducted electronically and the working party has now prepared a discussion paper that examines the key risks to consumers, both perceived and actual, when engaging in online transactions. A national discussion paper was recently released for public comment. The paper considers the current regulatory framework and asks whether there is a need for

further consumer protection measures and what those measures might be.

M-commerce refers to business conducted using mobile phones and other wireless devices. The working party is looking at whether the existing consumer protection mechanisms are adequate and how m-commerce is likely to test those regulatory structures. The working party has found that presently m-commerce is unlikely to replace other forms of consumer purchasing and is likely to be used only as an option for specific transactions. Most m-commerce transactions being offered are for the purchase and payment of things such as ring tones for mobile phones and information services, such as cricket score updates. However, more complicated transactions are emerging, such as purchasing drinks from certain vending machines using a mobile phone. Most transactions are low in value, with the cost of the product and service being added to the customer's phone bill. The working party will continue to monitor developments in m-commerce and will report back to the Ministerial Council in 2006, by which time it is expected that m-commerce will have developed more fully.

Web seals-of-approval are symbols displayed on a web-site that indicate to consumers that the business has agreed to follow a set of rules or guidelines that address particular consumer concerns, such as privacy and security. Businesses are aware that there is some consumer reluctance to trust on-line trading and the working party has examined whether web seals-of-approval are an effective way of increasing consumer confidence in e-commerce and to consider and identify an appropriate role for government in the matter. A national discussion paper was released for public consultation and the working party has now prepared a report. The report suggests that consumers are generally unaware of web seals-of-approval and there is contradictory evidence that consumers would find such schemes useful. It is clear that web seals-of-approval are just one measure out of many that are needed to boost consumer confidence in e-commerce. However, web seals-of-approval for on-line businesses can play a role in enhancing consumer confidence by raising awareness of, and encouraging compliance with, consumer protection law and best practice principles.

These projects are important because of the influx of fraud and scams being perpetrated over the internet. Twice in the past six months I have issued public warning statements about specific credit-card scams and how consumers can avoid getting caught. In particular, the Office of Consumer and Business Affairs repeatedly warns consumers not to respond to emails pretending to be from banks. These can be hoax emails designed to elicit confidential information from consumers about their accounts and defraud them of the contents.

There has also been a good deal of work done across governments to reflect that new technologies tend to ignore traditional borders. In March this year I signed an agreement with my interstate counterparts that identifies certain consumer issues as priorities, including m-commerce and overseas mail scams. The agreement commits governments to dealing with these issues in a co-ordinated way so that crimes against consumers committed across borders can be investigated and dealt with jointly.

OCBA also ensures that it provides protection when the public engages in electronic transactions with its own departments. For example, the Registrar of Births, Deaths and Marriages now offers on-line certificate application services for the public. As the information in the registers of births, deaths and marriages is highly confidential, consumers applying in person are required to produce evidence of their identity. The same applies to those applying online. A computer program has been developed to test applicants on their identity and right of access to the certificate. The program called Shared Secrets generates questions about information that should be known only to the applicant. Failure to answer the questions results in the applicant being refused access. Applicants then need to apply in person and supply proof of their identity.

The purpose of these safeguards is to prevent access to confidential register records and protect consumers from the growing problem of on-line identity theft. As most identity crime is committed electronically, Births, Deaths and Marriages has, in conjunction with SAPOL, produced a flyer for consumers about protecting access to such personal information as birth certificates. SAPOL distributes the flyer in its community awareness programs.

Not all new technologies involve consumers using computers. The Trade Measurement section of OCBA has a rigorous State-wide monitoring and compliance program with an emphasis on auditing scanning equipment. Scanners are widely used in retail outlets, particularly supermarkets, and Price Look Up (P.L.U.) equipment

in other retail outlets, such as garages, small convenience outlets, chemists and such like.

Although the Australian Supermarket Institute has a Code of Practice for Computerised Checkout Systems that helps consumers to resolve scanning disputes with retailers, not all retail outlets are members of the Institute. Audits by Trade Measurement Inspectors, therefore, play an important role in identifying and monitoring scanning irregularities. However, many of the large supermarkets that have adopted the Code will give the consumer the article at no charge if a scanning error is detected.

With the growing availability of on-line trading and the ease of access to the Internet, OCBA will continue in its role as consumer advocate in Fair Trading matters and work co-operatively with interstate fair trading agencies, and share information with Police, other enforcement and compliance bodies, both State and Federal, to monitor new and emerging technologies and to ensure proper safeguards to protect consumers are in place.

OCBA delivers advice about a range of consumer issues, including warnings about the risks associated with new technologies, through regular community and commercial radio interviews and the publication of media releases.

SYMPHONY ORCHESTRAS

397. **Mr HAMILTON-SMITH:** What is the government's position and likely contribution to the forthcoming review of symphony orchestras announced by the federal government?

The Hon. J.D. HILL:

1. The SA government has been invited to present a submission, in confidence, to the Review of Australia's Symphony and Pit Orchestras, commissioned by the commonwealth government on behalf of the Cultural Ministers' Council.

The submission will address operational, marketplace and governance issues, as identified in the review's terms of reference.

FRINGE CORPORATION

398. **Mr HAMILTON-SMITH:** Did the Fringe Corporation outsource the lighting for all of its managed venues to an interstate contractor and if so—

- (a) who won the contract;
- (b) why were local contractors unsuccessful; and
- (c) was the business privately contracted and if so, why was there no public tendering process?

The Hon. J.D. HILL: I am advised that, since the Adelaide Fringe is a not-for-profit incorporated association, it is not required to implement a public tendering process. It is not bound by the same legislative requirements in terms of contracting that apply to corporations and statutory authorities.

As is its usual practice, the Fringe sought three quotes. It chose to hire Chameleon, the Sydney-based lighting hire company, on the basis of the best price, ability to meet the Fringe's lighting hire requirements, proven reliability and previous good working relationship.

EXPIATION NOTICES

401. **Mr HAMILTON-SMITH:** With respect to the installation of the 'No Left Turn' sign to Abbotshall Road on Grange Road, Hawthorn—

- (a) how many motorists have been fined since its introduction and how much fine revenue has been raised; and
- (b) when, and for how long did a probationary period apply for defaulters and how many cautions were issued by police?

The Hon. K.O. FOLEY: The Commissioner of Police has advised that:

(a) The provision of statistics concerning the number of expiation notices issued or revenue raised for motorists disobeying the 'No Left Turn' sign into Abbotshall Road from Grange Road, Hawthorn is not subject to electronic extraction and cannot be provided without a manual search of all notices issued for this offence type.

(b) Two 'No Left Turn' signs were installed on Grange Road, Hawthorn to regulate vehicles travelling east and approaching Abbotshall Road on 16 June 2003.

In mid May 2003 a warning sign was placed on Grange Road on the approach side of Abbotshall Road advising of the change of traffic control as from 16 June 2003.

The above signs were installed by City of Mitcham following extensive community consultation as part of the Grange Road Traffic Management Plan due to the high level of cut-through traffic.

Apart from the community consultation and warning signs placed prior to and after erection of signs, no further probationary period applied.

The provision of statistics concerning the number of caution expiation notices issued is not subject to electronic extraction and cannot be provided without a manual search of all notices issued for this offence type.

SMALL BUSINESS

402. **Mr HAMILTON-SMITH:** What is the cause of the 13% decline in the number of small business operations in South Australia as reported by the ABS and what action will the Government take to rectify this?

The Hon. J.D. LOMAX-SMITH: The Minister for Small Business has provided the following information:

A press release from the Australian Bureau of Statistics—Characteristics of Small Business 2003 released 28 April 2004 indicated that 'SA recorded the largest decrease in the number of small business operators, down by 13 per cent.'

It is unclear how the figure was determined. A decrease of 13.4% annually in the number of female operators is noted in the data and there was a decrease in the total number of small business operators (male and female combined) of 6.7% annually.

However, the document on which the press release was based also noted:

1. The number of SA employing businesses (category 1-4 employees) operating for less than one year rose from about 8,000 in 2001 to about 10,900 in 2003 (+12.3% annually); and
2. The number of SA employing businesses (category 5-19 employees) operating for between 5 to 10 years rose from 1,000 in 2001 to 2,100 in 2003 (+38.5% annually).

In relation to the number of businesses (by reference to employment numbers), the statistician warns that 14 of the 16 SA numbers quoted for 2001 and 14 of the 16 SA numbers quoted for 2003 'should be used with caution'.

The ABS says 'There is no standard definition of a small business operator and other ABS publications do not use the term, nor do they provide statistics about small business operators as a group. However, the expression 'small business operator' is one that is often used in research and policy debate and is generally taken to include—

- the proprietor of a sole partnership
- the partners of a partnership
- the working director(s) of an incorporated company.

In South Australia the number of small business operators fell from about 120,300 in 2001 to about 104,700 in 2003 (-6.7% annually). Nationally, the number of small business operators fell by 0.4% annually over the two years.

In relation to the number of small business operators, it should be noted that the statistician warns that 4 of the 9 numbers quoted for 2001 and 5 of the 9 numbers quoted for 2003 'should be used with caution'.

The issue of small business statistics is on the agenda for the Small Business Ministerial Council in July and will include a briefing from the ABS.

A clear and uniform definition of small business statistics would reduce confusion and assist in making comparisons.

The Government has in place a range of strategies to assist the SA small business community. These include:

- The Small Business Development Council
- assists in the development of strategies and programs to support the growth and profitability of the small business sector
- identifies issues affecting the small business sector, and in particular barriers to growth and success for consideration by the Minister, which may be subsequently referred back to the SBDC for further work
- provides feedback on the impact of government policies on the small business sector
- provides feedback on the effectiveness and impact of Government small business programs and services
- provides suggestions on development of new programs and services
- advises the Minister on specific matters that have been referred to it by the Minister
- identifies major impediments to small business growth and success, or areas of major opportunities for the small business sector, at any one time for detailed work by subcommittees of the Council

- assists in marketing solutions agreed to by the Council to the small business community
- ensures strong linkages with other advisory bodies.

Advisory, Information and Business Support Services

· Business Enterprise Centres and Regional Business Advisers
The Government continues to support the work of metropolitan and regional business advisory services through funding, education and coordination of activities. The government recognises that local knowledge is essential in working with new and existing businesses because the social and economic conditions prevailing in any locality must be taken into account to ensure business success.

- *New Business Starter Workshops* are presented free of charge at convenient metropolitan locations. In the past twelve months 77 workshops have been conducted with 971 participants.
- *Business Owners Coaching Program* enables business owners to work in small groups with support from an experienced business coach. Coaching groups explore issues of interest to the members and apply the lessons learned to the member's businesses. There are currently 34 groups in the metropolitan and regional areas with 280 participants.
- *The 'Better Business' education series* proves free education programs for small business owners in the metropolitan and selected regional areas. The program consists of some 30 specially prepared 3 hour workshops which have been presented three times each year over the past three years.
- Small Business Helpline

The Adelaide Central Mission, with financial support from the State Government, and with 'in-kind' support from a group of accountants and lawyers, provides counselling and contacts for small business owners experiencing financial difficulties.

Export Assistance Programs and Services

The Government, in conjunction with Austrade, provides support for export development officers in the metropolitan and regional areas and for Export Clubs to assist small business owners understand what is involved in preparing for export and then using the facilities of Austrade and the South Australian Overseas Trade Representatives to export their products and services.

Office of Small Business

- The Government formed the Office of Small Business within the Department of Trade and Economic Development. The Office will provide support to the initiatives suggested by the Small Business Development Council will also be responsible for supporting the development and implementation of programs, initiatives and policies that promote the growth of small business and the cross-fertilisation of ideas between the small business sector and the State Government.

WINE EXHIBITION, UPGRADE

404. **Mr HAMILTON-SMITH:** Will the University of Adelaide be upgrading the wine exhibition at the National Wine Centre and if so, when and at what cost?

The Hon. K.O. FOLEY: I understand from officer-level discussions with the University of Adelaide that the University is presently reviewing the wine exhibition at the National Wine Centre. In particular, I am advised that the University has nearly completed market research relating to attendance trends and is also undertaking external perception surveys to identify possible themes for the exhibition. I understand that this information will be used for the University's planning purposes but at this stage, the University has no immediate plans for upgrading the wine exhibition at the National Wine Centre.

STORMWATER, PATAWALONGA

412. **Dr McFETRIDGE:**

1. What action has the government taken to investigate and implement underground storage options and retention systems to minimise stormwater flowing into the Patawalonga Lake during heavy rainfall?

2. What interim measures are there to avoid future flooding of the lake?

3. Has consideration been given to creating an overflow dam for the temporary storage of water during flooding conditions?

The Hon. J.D. HILL: I am advised that:

1. Storage Options and Retention Systems

As part of the Patawalonga Catchment Water Management Plans (1997 and 2002), the Patawalonga Catchment Water Management Board in collaboration with local councils, including the City of

Holdfast Bay, reviewed flood risks and flood management. The review did not find that there was a need for underground storage options or retention systems specifically for minimising flow to the Patawalonga basin during heavy rain. Like most other stormwater outlets to the sea, the cost, practicality, and the need to minimise flood discharges at or very near to the coastal outlets are not feasible nor necessarily sound.

Measures to reduce flood risk upstream are part of a major flood mitigation study for the Brown Hill and Keswick Creeks, which is currently out for tender. This mitigation study will focus on a whole of catchment approach and apply a benefit cost approach to the range of solutions.

2. Measures to Avoid Future Flooding

Several measures have been taken to avoid future flooding in the vicinity of the Patawalonga Lake:

- Following the flood in June 2003, the system controlling the operations of the weirs and barrages was adjusted to remove the condition that prevented the gates from opening on the night of the flood. Subsequently, there have been several high flows down the Sturt River and Brownhill/Keswick Creek systems, which have resulted in the weir gates at the northern end of the lakes opening and letting water into the Patawalonga Lake. On each occasion the barrage gates have opened when the level in the lake exceeded the sea level, allowing the water to flow out to sea.

- When high tides and heavy rain are anticipated, the operator, Baulderstone Hornibrook, is now required to change the operation of the system so that the lake operates at below its normal level. This is aimed at providing additional capacity in the lake in case there is a high tide, which may delay the release of water from the lake.

- The operators, Baulderstone Hornibrook, remain on notice to attend the site whenever heavy rain and high tides are anticipated.

- Work is proceeding with the implementation of a \$590 000 stormwater management system in the Shannon Avenue area of Glenelg North. This will minimise the risk of flooding in that area. In addition, after the Shannon Avenue work is completed, the weir gates at the northern end of Patawalonga Lake will be able to operate at 2.0 metres Australian Height Datum (AHD) compared to the current level of 1.35 metres AHD. This will minimise the number of times that water is let into the Patawalonga Lake.

- Implementation of measures for improving the performance of the outlet duct, as recommended in the GHD report into the June 2003 flood, is proceeding. This includes a system for keeping the safety screens on the outlet free from material and measures to keep the ducts clear of sand and debris. These measures will ensure maximum flows through the outlet and should reduce the number of times that water is let into the Patawalonga Lake.

3. Overflow Dam

Advice from the Patawalonga Catchment Water Management Board is that an overflow dam for the temporary storage of water to address Patawalonga Lake flood risks is not a practical option. Despite the vicinity of Adelaide Airport, there is insufficient land available for the construction of an overflow dam(s). The current airport operators are not prepared to provide land for that purpose and no other suitable land exists.

INFORMATION COMMUNICATIONS TECHNOLOGY, OUTSOURCING

413. **Mr HAMILTON-SMITH:** With respect to the proposed outsourcing of Information Communications Technology arrangements announced in November 2003—

(a) What is the current status;

(b) When did each tranche of the program go to tender;

(c) What are the tender deadlines;

(d) When will the successful tenderers be decided upon and announced;

(e) What is the dollar value of each tranche tender and what is the total dollar value;

(f) How is the outsourcing tender process being managed and who is managing the process;

(g) Which ministers are involved in the tender process and which minister has overall responsibility; and

(h) Who is expected to tender?

The Hon. M.J. WRIGHT:

(a) Tranche 1 of the Future ICT Procurement Program announced in October 2003 incorporates the following major components:

ICT Equipment

An invitation to demonstrate capability was released to the market on Monday 8 December 2003 at the ICT Equipment industry

briefing. The invitation closed Thursday 22 January 2004. The stage 1 evaluation is complete and stage 2 is underway.

Large Scale Computing

A request for proposal encompassing the provision of mainframe computing services and electronic messaging services and a request for information incorporating the provision of hosting services was released to the market on Friday 7 April 2004.

The invitation closed 10 June 2004 and evaluation has commenced.

Support Services

On Tuesday 29 June 2004 the provision of Managed Network Services and maintenance and support in respect of the PABX network was offered to market through two separate approaches—a request for proposal to provide Managed Network Services and a request for tender for the provision of PABX services.

Following the industry briefing, bid documents will be available for download from the SA Government Tenders Website from 9 July 2004 with a closing date of 13 September 2004.

In relation to tranche 2, which will deal primarily with the provision of telecommunication services, an over-arching procurement strategy is being developed for consideration by Cabinet.

(b) Refer to item (a) in respect of the tranche 1 procurements.

It is expected that tranche 2 of the procurement program, will not proceed to a tender stage until the 2005/06 financial year.

(c) Refer to item (a).

(d) ICT Equipment

As an outcome of the stage 1 evaluation there were a number of tenderers not assessed as sufficiently capable to be considered further in the procurement process. Unsuccessful tenderers have been advised and debriefings undertaken. Those tenderers short-listed to participate in stage 2 have also received communication regarding the evaluation outcomes.

Large Scale Computing

Future ICT is seeking to finalise the procurement process for Large Scale Computing prior to the expiry of the Information Technology Services and State Economic Development (ITSEED) Agreement on 6 July 2005. Therefore it is expected that new contractual arrangements will be close to finalisation by this time.

Support Services

As discussed for Large Scale Computing. However it is anticipated that significant transition activities and the formation of agency-specific arrangements will occur post expiry of ITSEED. There are several separate procurements being progressed under support services, which are likely to be finalised at different times.

The estimated cost for tranche 1 is of the order of \$170 million and the estimated cost for tranche 2 is about \$70 million.

(f) The procurement activities are being undertaken by Future ICT Service Arrangements within the Department for Administrative and Information Services. The process is being managed and overseen by a Steering Committee comprising a number of portfolio chief executives. Ultimate decisions relating to contract establishment as a result of the Future ICT will be submitted through the State Supply Board to Cabinet for approval.

(g) On 15 September 2003 Cabinet approved the governance framework for Future ICT procurements. Elements of the framework include:

- a Chief Executive Steering Committee manages the procurement process
- the Minister for Administrative Services is responsible for the day-to-day carriage of the project
- Minister for Infrastructure (as the Treasurer's delegate) is responsible for Future ICT service arrangements
- the State Supply Board will approve acquisition plans, procurement processes and purchase recommendations
- Cabinet will approve business need, acquisition plans and final contractual arrangements.

(h) The procurements have been structured in such a way as to maximise the potential scope of suppliers able to respond and this has been reflected in the large number of organisations attending industry briefings conducted by the State.

The tenders that have closed to date have attracted a comparatively high level of market interest, with tenderers ranging from multi-national suppliers through to national and local providers. In relation to the ICT Equipment invitation to demonstrate capability, for example, in excess of forty organisations submitted responses.

PLAYFORD CAPITAL, CONFLICT OF INTEREST

414. **Mr HAMILTON-SMITH:**

1. Have there been any reports of conflicts of interest involving applications for assistance or investment from Playford Capital since March 2002?

2. What processes are in place to prevent conflicts of interest between persons involved in Playford Capital management and bidders?

3. What role does the Minister play in ensuring conflicts of interest are dealt with in accordance with due process?

The Hon. P.L. WHITE:

1. Playford staff, contractors and board members have declared actual or potential conflicts of interest in relation to applications for assistance or investment on eight occasions since March 2002. Where a conflict of interest existed, this was dealt with in accordance with Playford's formal conflict of interest policy.

2. Playford has a formal written policy requiring staff, contractors and board members to declare conflicts of interest in relation to applications for assistance or investment. Such conflicts are dealt with by requiring that relationship with the applicant to be modified or terminated or that the person concerned has no further involvement or influence over the decision making process in relation to the applicant.

3. The responsibility for Playford's decisions on investment and assistance rests with the board and this includes ensuring compliance with policies on conflict of interest. Playford's investment protocol requires that any conflicts of interest which management has been unable to remove within 45 days of becoming aware of such conflict are to be reported to the Minister and the Commonwealth Government (reporting unresolved conflicts to the Commonwealth is a requirement of the BITS Grant Deed).

Under the Public Corporations Act 1993, the board of Playford Centre must report to the Minister instances where a director has a direct or indirect personal or pecuniary interest in a matter decided or under consideration by the board.

AUSTRALIAN DANCE THEATRE

416. **Mr HAMILTON-SMITH:** What is the government's future plans for the Australian Dance Theatre and how much funding will be provided to the organisation for each of the next four years?

The Hon. M.D. RANN: I have been advised:

The SA Government has provided the Australian Dance Theatre with \$850,000 for 2004-05. The Australian Dance Theatre's grant allocation (as with all other arts and cultural organisations) is not determined until May of each year. Thus, the grant allocations for 2005-06 will not be determined until the 2005-06 state budget is decided in May 2005. Similarly for 2006-07 and 2007-08, the grant allocations will be made in May 2006 and May 2007 respectively.

SOUTH AUSTRALIAN MUSEUM

418. **Mr HAMILTON-SMITH:** What are the cost pressures to the South Australia Museum's operational budget over the next four years and does this funding adequately take into account the additional floor space proposed by the redevelopment, and adequate cleaning, administration and clerical support to the Museum?

The Hon. M.D. RANN: I have been advised:

The 2004-05 funding allocation to the South Australian Museum adequately covers the costs associated with the additional public space resulting from the 1999 redevelopment of the museum. The specific costs such as cleaning, security, lighting, air-conditioning, administration and clerical support are fully incorporated into the Museum's base funding.

SOUTH AUSTRALIAN FILM CORPORATION

419. **Mr HAMILTON-SMITH:**

1. Why is the \$600,000 allocated to operational support of the South Australian Film Corporation applied over 2 years and not beyond, and what are the Corporation's current cost pressures?

2. Will the Film Corporation relocate from Hendon to another site and if so, what other sites are being considered?

The Hon. M.D. RANN: I have been advised:

1. The operational support grant of \$300,000 per annum for two years has been provided to enable the Corporation to cover the costs of extending its lease on a short term basis at Hendon so that a full examination of, and consequent decision on, a possible relocation can be made. If it is ultimately decided that a move to another location is warranted, and if this move can be undertaken before the funds are fully expended on rental, then the balance of funds will be available to partly meet moving expenses.

The major current cost pressure for the Corporation is the management of operations, particularly in light of the need to compete against other States in the area of industry promotion. The Corporation has focused on controlling expenses and continuing efficiencies in the use of staff.

2. This matter is a priority for the Corporation and, in order to ensure the best possible outcome, the industry is being fully consulted about the possible relocation as well as its preferences for the provision of services by the Corporation. It would be premature for the Corporation to identify possible sites prior to the completion of this exercise.

CABARET FESTIVAL

420. **Mr HAMILTON-SMITH:** Will there be a net increase to the existing funding of the Cabaret Festival and will this funding be reduced if the Festival exceeds its box office expectations?

The Hon. M.D. RANN: I have been advised:

In the 2004-05 State Budget, funding of \$500,000 per annum was allocated for the Adelaide Cabaret Festival for the years 2004-05 to 2007-08.

This does not represent a net increase in available funds. Rather, it ensures the continuation, at the same level, of annual funding that had been allocated for three years only by the previous State Government. Under the original arrangement, this funding would have ceased in 2003-04, and the 2004 Cabaret Festival would have been the last event to be funded.

The Government grant is a fixed annual amount and, as such, it is not dependent on the financial outcome of the event. Any better-than-budgeted performance in this (current \$1.7m) project will be a result of box office variances which are usual for this sort of project.

The Adelaide Festival Centre Trust will use the funds from Government to generate box office and sponsorship income, and to grow the event.

ADELAIDE FESTIVAL OF ARTS, BUDGET

421. **Mr HAMILTON-SMITH:** How will the \$750,000 increase in the Adelaide Festival of Arts operational budget be spent, and will this bring any new innovation to the Festival?

The Hon. M.D. RANN: I have been advised:

The Adelaide Bank 2004 Festival of Arts was allocated an additional \$750,000 per annum for two years to enable the 2004 Festival to provide a program of quality, scope and scale that would appeal to local audiences and attract tourists.

Through the 2004-05 State Budget, the State Government has continued this funding of \$750,000 per annum. This ensures that the funding for the 2006 Festival will be commensurate with that provided for 2004, and enables the level of innovation that re-emerged in the 2004 Festival to be maintained.

CARRICK HILL

423. **Mr HAMILTON-SMITH:**

1. Why was there such a decline in attendances at Carrick Hill in 2003-04 and was this attributed to the cancellation of the Garden Festival?

2. Who will replace Mr Alan Smith as Director of Carrick Hill?

The Hon. J.D. HILL:

1. The decline in attendances in 2003-04 was due to Carrick Hill being unable to take forward bookings in 2002-03 for functions and events while an extension was being sought for the approval for the marquee from the Development Assessment Commission. The functions business is now taking bookings for 2004-05 and beyond. The cancellation of the Gardens Alive Festival booking resulted in a 10,000 decline in visitor numbers for 2003-04. That event is now being held in the South Parklands.

2. The position of Director of Carrick Hill is being advertised. The Finance Manager, Ms Lorraine Lusia, will be Acting Director after Mr Alan Smith leaves on 28 July 2004.

LIVE MUSIC

424. **Mr HAMILTON-SMITH:** What are the expenditure details of the program dedicated to support contemporary live music in 2003-04?

The Hon. J.D. HILL: I am advised that in 2003-04 a total of \$643,403, including carry-overs from 2002-03, was allocated to the following programs:

Program	Allocation
Community Electronic Media	\$ 20,000
Live Music grants program, including venue noise attenuation initiative	\$264,473
Contemporary Musicians in Schools	\$100,000
MusicSA.com.au website completion and management	\$ 58,930
Fuse development and delivery	\$200,000
Total	\$643,403***

During 2003-04, an additional \$44,251 was expended on contemporary music through Arts SA's Recording Assistance program. This program and its funds have now been added into the Live Music grants program. Uncommitted 2003-04 funds have been carried over into the Live Music program for 2004-05.

HISTORY TRUST OF SOUTH AUSTRALIA

425. **Mr HAMILTON-SMITH:** Why is the number of visitors to the History Trust of South Australia in 2004-05 expected to be 30,000 less than the previous year?

The Hon. J.D. HILL: I am advised that the target of 250,000 for 2004-05 is a transcription error. The expected visitor numbers should be 280,000, the same target for 2003-04.

McLEOD'S DAUGHTERS

426. **Mr HAMILTON-SMITH:** From which budget line was the \$1 million of government funding drawn to provide assistance to the TV drama *McLeod's Daughters*?

The Hon. M.D. RANN: I have been advised:

In recognition of the important opportunity to secure and maintain substantial activity in the film industry sector in this State through the filming of Australia's top rating free-to-air television drama *McLeod's Daughters*, five hundred thousand dollars was provided as a once-off grant by the Department of Business, Manufacturing and Trade, and five hundred thousand dollars was allocated from the normal annual production investment funding of the SA Film Corporation.

STATE THEATRE

428. **Mr HAMILTON-SMITH:** Why was there a decline in paid performances at the State Theatre in 2003-04?

The Hon. J.D. HILL: I am advised that in the 2003-04 financial year the State Theatre Company developed and produced three major new works: Fiona Sprott's *Drowning in My Ocean of You*; Steven Sewell's *Myth, Propaganda and Disaster*; and Chris Drummond and Susan Rogers' *Night Letters*. While these new, risky works provided valuable exposure and employment opportunities for South Australian artists, the audiences for these productions did not reach the expected targets resulting in a 7.5 per cent decline in attendances.

ART GALLERY, STORAGE

429. **Mr HAMILTON-SMITH:**

1. What percentage of the South Australia Art Gallery's works remains in storage, what is the storage cost, are there plans to increase the showing of these works and will the UniSA Art Museum have access to these works?

2. What will be the total cost of the proposed UniSA Art Museum project, how will it be funded, where will it be built and how will it interface with the SA Art Gallery?

The Hon. M.D. RANN: I have been advised:

1. The Art Gallery of South Australia's collections comprise a total of 35,000 works of art, of which approximately 4 per cent—or 1400 works—are on display.

One of the gallery's six storage areas is external, and this houses approximately 8000 works. The annual cost of maintaining this external store is approximately \$18,000.

Storage of works of art is integral to the Gallery's operations. Well over 70 per cent of the collections such as works on paper and textiles cannot be on permanent display for conservation reasons and have to be rotated.

Works are rotated between storage and display by staging temporary exhibitions, changing and rehanging the display. These steps ensure that significant works in storage are accessible to a wider public. The Gallery also maintains a program of travelling exhibitions which are lent locally, nationally, internationally and to SA sister institutions, thus ensuring added exposure of works. The Gallery also makes individual loans available to other institutions.

The UniSA Art Museum will continue to have access to works through such loans.

The Gallery is currently assessing options and plans for increasing the number of works on display to the public.

2. I have been advised that the next phase of the University of South Australia's proposed building program will incorporate not only an art museum but also the university's chancellery; a 440-seat lecture theatre; the Hawke Centre's conference centre, administration and civic gallery; and the Bob Hawke Prime Ministerial Library. This project is expected to cost a total of \$33.5 million. The notional cost for the art museum component is expected to be \$9 million.

The university will fund this project, with a contribution of \$3 million from the State Government in 2006-07.

It will be built on the corner of North Terrace and Fenn Place.

The UniSA Art Museum is planned to be complementary to the Art Gallery of SA.

EMPLOYEE EXPENSES

448. **The Hon. D.C. KOTZ:** What are the details of the \$3 million reduction in employee expenses in 2003-04 according to each of the five Departmental units?

The Hon. M.J. WRIGHT: It is not clear what reduction the member for Newland is referring to. According to page 6.36 of Budget Paper 4, volume 2 there was an increase of \$3 million from 2003-04 to 2004-05 in employee expenses.

VICTOR HARBOR WASTEWATER TREATMENT PLANT

449. **The Hon. D.C. KOTZ:** What portion of the overall project cost for ancillary works for the Victor Harbor Wastewater Treatment Plant EIP has already been spent and what portion of the total cost is provided by the private sector?

The Hon. M.J. WRIGHT: Approximately \$8.2 million has been spent to May 2004 on ancillary works.

This includes expenditure on project management and investigations since 1989, land and easement acquisitions, pipe laying carried out in 2002 in conjunction with the Council's Ring Road construction, and formation of the major contract with United Utilities for construction of the wastewater treatment plant and its operation for 20 years.

Project investigations have involved a wide range of functions including environmental investigations, community consultation programs, surveys, financial and economic analyses, and engineering concept designs.

Of the \$8.2 million, the amount carried out by the private sector through service and construction contractors is approximately \$5.6 million. None of these funds are provided by the private sector.

GOVERNMENT ICT CONTRACTS

451. **The Hon. D.C. KOTZ:** How many contracts for the provision of Government's Information Technology requirements have been negotiated and what are the details of each contract, including service provision and value?

The Hon. M.J. WRIGHT: With respect to ICT requirements for which Minister for Administrative Services has responsibility through Government ICT Services, only one agreement has been negotiated. The government has signed a Select 6 Agreement that is currently with Microsoft awaiting execution. Select 6 will provide business continuity for the State's licensing requirements under an ad hoc purchasing arrangement. Given it is a non-commitment based purchasing arrangement, no indication of overall value can be provided.

RECREATION AND SPORT, FUNDING

454. **The Hon. D.C. KOTZ:** Does the total funding allocation for Recreation and Sport in 2004-05 budget include any funds not expended from the previous year and if so, what are the details?

The Hon. M.J. WRIGHT: The Office for Recreation and Sport funding allocation for 2004-05 as stated in the Operating Statement of the 2004-05 Portfolio Statement does not include any funds not expended in the previous year.

COMMUNITY PARTICIPATION PROGRAMS

455. **The Hon. D.C. KOTZ:** Why has the number of community participation programs managed by the Department of Recreation and Sport declined and which programs will no longer be managed by the Department?

The Hon. M.J. WRIGHT: In 2003-04 the Office for Recreation and Sport managed 190 participation programs, exceeding the target (150) by 28 per cent.

The decline that the member for Newland refers to may be distorted as the Office for Recreation and Sport had anticipated a possible reduction to participation programs offered through the Indigenous Sport Program, following the Federal Government's decision regarding the future of the Aboriginal and Torres Strait Islander Commission (ATSIC).

As a result, when setting targets for the 2004-05 financial year, the Office for Recreation and Sport included details for only 10 programs in the area of Indigenous Sport, as opposed to the 51 programs delivered in 2003-04.

Without the funding from the Australian Sports Commission to manage the Indigenous Sport Program the Office for Recreation and Sport would be unable to deliver the 41 programs funded and delivered between the Australian Sports Commission and ATSIC.

RECREATION AND SPORT PROPERTIES

457. **The Hon. D.C. KOTZ:** Which Office of Recreation and Sport properties will be subject to ongoing minor works in 2004-05 and what is the nature of work required?

The Hon. M.J. WRIGHT: The Office for Recreation and Sport (ORS) is currently in the process of finalising its 2004-05 Minor Works Program for all of its sites. However, all ORS owned and controlled properties will receive ongoing minor works in 2004-05.

The Office for Recreation and Sport also have ongoing maintenance programs for all sites. These programs include routine maintenance items such as fire detection systems, fire extinguishers, fire hose reels, mechanical plant, electrical switchboards, backflow prevention devices and lifts.

The nature of the ongoing minor works projects varies significantly between sites.

Whilst the program is currently being finalised, the following list of the minor works projects for 2004-05 are those that have had the preliminary work undertaken.

Pine Hockey Stadium

Rectify water leaks penetrating the grandstand—applying a waterproof membrane over the entire floor surface of the grandstand to prevent water penetration.

Hindmarsh Stadium

Rectification of the water leaks in the western grandstand, rectifying settlement in the Treasury Room in the southern grandstand where cracks are occurring and preventative works to the concrete structure on the northern, eastern and southern stands.

SANTOS Stadium

Installation of a monitored fire detection system in the office building. This work is above that required under the Building Code of Australia 1996.

State Shooting Park

ORS is exploring several options to mitigate the problem of the shallow water table on the property. Works may include dewatering and raising the height of the affected areas of the shooting ranges.

Southern Sports Complex

Provide a fixed permanent safe means of accessing the roof of the building. Access is currently gained by the use of an elevated work platform.

Adelaide Super-Drome

Installation of additional lighting over the start / finish line to increase the lux levels to enable improved quality of photo finish images.

Women's Memorial Playing Fields

Exploring options for the rectification of the balustrades around the main clubrooms.

Eagle Mountain Bike Park

The erection of a secure storage area on the site.

Kidman Park Site

Reception refurbishment. This project will improve the safety of reception staff and provide public access to toilets in the ground floor area so that the public is not required to enter secure areas.

Provision of additional public address speakers.

GOODS AND SERVICES BUDGET

458. **The Hon. D.C. KOTZ:** Why will there be a decline in the sale of goods and services in 2004-05 and which goods and services will be affected?

The Hon. M.J. WRIGHT: The change in the sale of goods and services budget is a result of a Department of Treasury and Finance adjustment, based on an analysis of the Office for Recreation and Sport's revenue streams which indicated a variance in the classification of 2002-03 items.

PHYSICAL ACTIVITY STRATEGY

460. **The Hon. D.C. KOTZ:** With respect to the Physical Activity Strategy:

- (a) why did the draft strategy take two years to get to the public consultation stage;
- (b) how was the draft strategy formulated, were any consultants used and if so, what are the details;
- (c) when will the program be released;
- (d) what are the details of the \$170,000 allocation in 2003-04;
- (e) how will the \$410,000 program allocation for 2004-05 be spent; and
- (f) which Government Agency will manage the program?

The Hon. M.J. WRIGHT: With respect to the Physical Activity Strategy:

- (a) The newly created Physical Activity Council (PAC) met for the first time in September 2003. The Draft Physical Activity Strategy was released for community consultation within four months of Council's first meeting. Following the community consultation period, which finished in April of this year, the Physical Activity Council has reworked the draft Strategy and it will be presented to the Ministerial Physical Activity Forum (MPAF) on 19 July 2004 for consideration.
- (b) The draft Physical Activity Strategy was developed by the Physical Activity Council which initially analysed Physical Activity Strategies from around Australia, reviewed international efforts in this area, related strategies and considered previous initiatives which have been undertaken. One consultancy company was used to compare and contrast these documents, to highlight strengths and weaknesses and provide information, documentation and advice to allow the Physical Activity Council to develop a draft Physical Activity Strategy. Planning Partnerships were engaged for this purpose and they were paid \$3,900 plus GST for their services.
- (c) The Strategy will be launched following the endorsement of the draft Strategy by the Ministerial Physical Activity Forum. It is anticipated that the launch will be held in August 2004.
- (d) The \$170,000 allocated to physical activity in the 2003-04 Budget was spent in the following areas:
 - Promotional *be active* materials to support and educate on the importance of daily physical activity. This included exhibitions at the Royal Adelaide Show, Tour Down Under and the International Pedal Prix;
 - the development of a draft State Physical Activity Strategy;
 - support for the conduct of a Mature Aged Physical Activity Forum and a Disability Physical Activity Forum;
 - support for After School Sport Centres;
 - attendance at the National Physical Activity Conference;
 - salary Support for a *be active* project officer to action and implement activities that emanate from the Physical Activity Council;
 - the development of a web based program designed to link individuals to a broad range of physical activity programs and services;
 - the launch of *be active*;
 - the development of a quarterly *be active* newsletter and;
 - Physical Activity Council Board Fees.
- (e) The \$410,000 allocated for the 2004-05 financial year will be used to support the implementation of the State Physical Activity Strategy. The Strategy will assist with the Government's commitment to increase levels of physical activity for all South Australians.
- (f) The Office for Recreation and Sport is the agency responsible for the whole of Government delivery of this program.

HIGH PERFORMANCE SPORTS PROGRAMS

461. **The Hon. D.C. KOTZ:**

1. What is the status of the review of the current high performance sports programs to complement the National 2005-09 Quadrennial Planning, when is the review expected to be completed and how much will the review cost?

2. Who is undertaking the review and does the review encompass all high performance sports programs or a specified selection?

The Hon. M.J. WRIGHT:

1. The South Australian Sports Institute (SASI) is currently engaged in completing the review of its internal SASI Sportsplan programs. Each of the 15 programs has completed an evaluation proforma for endorsement by their respective State and National associations. The meetings for each program are currently being conducted involving representation by the program head coach and the respective State and National Sport Association. The review meeting also involves an analysis of the proposed program for the sport for the next quadrennium (2005-2009) taking account the plans, priorities and support of the sports national plan. Currently half of the programs have completed this part of the process that is being conducted by SASI Management at no additional cost.

2. Concurrent to this process SASI advertised for Expressions of Interest to conduct a SASI Sports Program. This provided the opportunity for sports not currently in SASI to put forward a proposal for evaluation for admission to SASI. Follow-up meetings are currently being scheduled with the sports that have submitted expressions, to assess the detail and merit of their submission.

Following the completion of these two processes SASI will finalise its recommendations. It should be understood that the recommendations are provisional, as in a number of instances they are dependent on the finalisation of program and funding recommendations by the Australian Sports Commission.

TRAINING AND DEVELOPMENT SERVICES

464. **The Hon. D.C. KOTZ:** Why are there fifty three fewer training and development services planned for 2004-05 and will any new services introduced in 2003-04 be discontinued and if so, which services?

The Hon. M.J. WRIGHT: The 2003-04 target for the delivery of training and development was to deliver 68 programs, and the Office for Recreation and Sport (ORS) was able to deliver 125 programs in 2003-04.

The target for 2004-05 is to deliver 72 programs, an increase from the 2003-04 target.

These programs will continue during the 2004-05 financial year. No planned services will be discontinued.

SOLUTION CITY

489. **Mr HAMILTON-SMITH:** What are the details of any Government funding to 'Solution City'?

The Hon. P.L. WHITE: The State Government provided \$80,000 in February 2003 to progress the launch of the SolutionCity brand.

The State Government provided \$27,500 to SolutionCity in May 2004 to support the South Australian delegation to World Congress on IT 2004. The funding was put towards the cost of establishing an exhibition site and airfares for five small and smart local ICT companies that are not SolutionCity members but have global export market potential.

Prospective business partnerships for product distribution were established with representatives from the United States, India, Greece, UK, Malaysia, Republic of Macedonia and Belgium. Relationships were also established with a number of US organisations to explore possibilities for collaborative ICT ventures that could lead to investment in SA and others that could benefit Government ICT related programs.

INFORMATION TECHNOLOGY EXPORTS

492. **Mr HAMILTON-SMITH:** What is the current value and percentage of Gross State Product of South Australian information technology exports and how does this compare to two years ago?

The Hon. P.L. WHITE: According to surveys conducted by the South Australian Centre for Economic Studies, the total value of South Australia's Information Technology exports in 2001 was \$214 million and \$237 million in 2003, an increase in value of 11 per cent over two years.

Comparing this to figures provided by the Department of Foreign Affairs and Trade, IT exports comprised 2.37 per cent of total State exports in 2001 and 3.16 per cent in 2003.

OFFICE OF RECREATION AND SPORT

505. **Dr McFETRIDGE:** Is the Office for Recreation and Sport providing training to sporting and recreational clubs on how to establish key performance indicators and reporting processes and if so, what are the details?

The Hon. M.J. WRIGHT: The Office for Recreation and Sport provides training to sport and recreation clubs on Club Planning.

Since 2000, the Office for Recreation and Sport has conducted a series of Club Planning workshops across the State. These are open to all clubs. To date, more than 1,100 people have attended representing 550 clubs and associations across 60 sport and recreational pursuits.

In these workshops, clubs are shown how to develop a Club Plan and how to establish objectives against performance criteria which is specific, measurable, achievable, realistic and time bound.

The Club Planning training module is also a part of the Club-Association Management Program, which is an ongoing program offered by the Office for Recreation and Sport to support recreation and sport clubs in the community.

OFFICE FOR RECREATION AND SPORT

506. **Dr McFETRIDGE:** Is the Office for Recreation and Sport reconsidering that grant approval notifications should be made prior to 30 June and if so, why?

The Hon. M.J. WRIGHT: There is no consideration being given to alter the timeframes for grant notification for funding programs in future years.

RECREATION SA

507. **Dr McFETRIDGE:**

1. How is the Office for Recreation Sport assisting Recreation SA to become a truly representative body to the multitude of individuals and organisations involved in the fitness industry?

2. Has ORS allocated any expenditure to Recreation SA in 2004-05 for a state accreditation and registration scheme in the 'personal fitness' industry?

3. What expenditure been allocated to Recreation SA in 2004-05 to begin a State-wide accreditation and registration scheme for outdoor recreational activities including, canoeing, bushwalking, cycling, backpacking, climbing and scuba diving?

The Hon. M.J. WRIGHT:

1. Recreation SA is an industry body representing organisations providing services in the areas of Community Recreation, Outdoor Recreation and Fitness. As such it is membership based and relies on the industry, through membership, to support its work.

The Office for Recreation and Sport (ORS) does not have a role in 'assisting' Recreation SA to represent its members. Nor do they become involved in the internal operations of peak recreation or sport bodies such as Recreation SA, except when directly invited to do so.

Recreation SA is eligible to apply for funding through the Statewide Enhancement Program (StEP) for funding support and has done so for 2004-05.

The Office for Recreation and Sport has however, had an ongoing involvement with Recreation SA with the recent merger of Fitness SA and Recreation SA. 'Industry Development' projects have been jointly delivered as a result of this relationship.

2. Under the new StEP funding program, Stream 1 category, organisations are able to apply for funding to conduct and implement their Strategic Plan.

Recreation SA has applied for funding under the Industry Peak Body category and it has been recommended that funding be allocated to them for this purpose.

Recreation SA determines how it allocates this funding against internal priorities. However, given that the Fitness Leader Personal Trainer Registration Process is a part of their core business, it is reasonable to assume that a substantial amount of funding provided may be allocated for that purpose.

3. Recreation SA has applied under the StEP Program for funding to develop Adventure Activity Standards in SA. This may lead to the development of a voluntary, industry-driven, accreditation and registration scheme for Outdoor Activity leaders, instructors and guides.

HIGH PERFORMANCE SPORT PROGRAMS

508. **Dr McFETRIDGE:** When will the review of the high performance sport programs to complement the National 2005 to 2009 Quadrennial planning be completed?

The Hon. M.J. WRIGHT: The Office for Recreation and Sport's, South Australian Sports Institute (SASI) expects it will finalise its recommendations following the review of its sports programs and consideration of the expressions of interest received from other sports, by late August.

It should be understood that the recommendations would need to be provisional as they are in a number of instances dependent on the finalisation of program and funding recommendations by the Australian Sports Commission to the National Sports Organisations.

GOOD SPORTS PROGRAM

509. **Dr McFETRIDGE:**

1. Is the Office for Recreation and Sport concerned that the Federal Government's 'Good Sports Program' will conflict with the State Government's 'Alcohol Go Easy Program'?

2. What clubs are involved in the 'Good Sports Program'?

3. How many Departmental employees are involved in administering this program, how much time and how much agency expenditure is allocated to administer this program?

The Hon. M.J. WRIGHT:

1. The *Good Sports Accreditation Program* is an evidence based health promotion program, which works in conjunction with sporting clubs in order to decrease excessive and harmful use of alcohol in the sport setting.

The program is an initiative of the Australian Drug Foundation and has been operating in Victoria since 1999. It has been introduced in South Australia through the Drug and Alcohol Services Council (DASC).

Both the *Good Sports Accreditation Program* and the *Alcohol Go Easy Program* are administered and managed by DASC.

The Office for Recreation and Sport (ORS) is therefore not in the position to provide comment and refer you to the Minister for Health, the Hon Lea Stevens.

2. To obtain information regarding clubs involved in the *Good Sports Accreditation Program*, ORS refers you to the Minister for Health, the Hon Lea Stevens.

3. ORS currently has no involvement with the Good Sports Accreditation Program, therefore no agency expenditure or employees are involved in administering this program.

Alcohol abuse and drug use have been recognised as major contributors of unwanted behaviours in sport, therefore it is anticipated that programs such as the *Good Sports Accreditation Program* may in future be incorporated in to the *Harassment Free Sport* program conducted by ORS and into projects to control problem behaviours such as Sideline Rage.

OFFICE FOR RECREATION AND SPORT

510. **Dr McFETRIDGE:** How does the Office for Recreation and Sport assist small non-incorporated clubs and societies gain access to State Government grants?

The Hon. M.J. WRIGHT: Under the Office for Recreation and Sport (ORS) funding programs, grants can be provided to incorporated, not-for-profit, active recreation and sport organisations. Organisations in receipt of grants are required to enter into an agreement with the government which details the terms and conditions of the grant. Non-incorporated clubs are not eligible to receive funding through the funding programs.

The law does not recognise an unincorporated association as a legal entity, legal rights and obligations rest with members instead of the organisation.

ORS encourages non-incorporated community groups and societies to become incorporated recreation and sporting clubs and associations through its business improvement, club development and education programs. Incorporation is voluntary, simple and an inexpensive means of establishing a legal entity.

The benefits of club/associations becoming incorporated are that the organisation has its own 'corporate identity', can sue and be sued, can enter into contracts, can own land and other properties, accept gifts and bequests, borrow money, appoint committees to run affairs and documents lodged are kept on a public register.

Another considerable benefit is that many State Government grants programs require that applications can only be made by incorporated organisations.

SOUTH AUSTRALIAN CYCLING FEDERATION, REVIEW

512. **Dr McFETRIDGE:** Has the Governance Review into the South Australian Cycling Federation been completed and if not, when will it be completed and if so, what changes will the Federation be asked to undertake?

The Hon. M.J. WRIGHT: The Governance Review of the South Australian Cycling Federation (SACF) was completed in April 2004.

The review was voluntary and undertaken at the request of SACF. Funding for the review was allocated to SACF from the Management Development Program Grant for 2003-04. The role of the Office for Recreation and Sport (ORS) was to assist SACF by managing the review. However, SACF were fully involved in setting out the terms and conditions and in selecting the independent contractor to undertake the review.

At the conclusion of the review I deeded the final report to SACF. There was no condition in that deed mandating SACF to undertake any of the recommendations.

ORS assigned an officer to work with SACF to assist them in understanding and implementing the recommendations themselves.

The first recommendation was that SACF undertake consultation with their members and accept the report. This has been achieved.

The second recommendation was that SACF implement a new strategic planning framework. ORS has offered to facilitate this process and is providing resources, information and support. This is now proceeding.

The third recommendation was that SACF develop and adopt a revised governance structure. As a first step towards achieving this, SACF Board Members will be participating in a change management workshop in July 2004. This has now been scheduled and ORS has supported this by arranging for a suitable presenter to conduct this training. ORS staff will attend the workshop to provide advice as needed.

SACF has been very supportive of the review and its outcomes. They are to be complimented on their willingness to be a part of this process and indications are that they are prepared to make the necessary change to progress their sport in South Australia.

SPORTING CODES OF CONDUCT

513. **Dr McFETRIDGE:** Have guidelines been drawn up to assist sporting and recreation clubs to formulate their codes of conduct and if not, why not?

The Hon. M.J. WRIGHT: Under the Recreational Service Act the Office for Consumer and Business Affairs (OCBA) has prepared and published two booklets:

- Is Public Liability Insurance an issue for you?
- How to develop and register a Safety Code.

The publications are circulated by the Office for Recreation and Sport as well as by OCBA themselves.

RECREATION AND SPORTING COMMITTEES, FUNDING

514. **Dr McFETRIDGE:**

1. Why are recreation and sporting committees being charged \$1,200 to lodge and register their code of conduct with the Office of Sport and Recreation and a further \$250 to register as a provider when there is no real reduction in insurance premiums?

2. What assistance is being given to recreation and sporting clubs to fund legal advice in formulating their codes of conduct?

3. Has the Office of Consumer and Business Affairs been approached to assist recreation and sporting clubs to formulate sporting codes of conduct and how many of these codes have been registered with OCBA?

4. Are these codes recognised interstate and overseas and will they be recognised by multi-national insurance companies?

5. Has ORS approached peak sporting bodies to obtain model codes of conduct and if so, which bodies and if not, why not?

6. Which Government agencies are involved in formulating multi-disciplinary codes of conduct and which sports and recreation pursuits are targeted?

The Hon. M.J. WRIGHT:

1. The Office of Consumer and Business Affairs (OCBA) administers the Recreational Services Act, not the Office for Recreation and Sport (ORS). Codes are registered with OCBA.

This question should be referred to the Minister for Consumer Affairs.

2. As a pilot ORS is assisting three industry groups to develop Safety Codes under the Act, including meeting the legal costs.

These codes will encompass the following areas:

- Outdoor Recreation
- Equestrian
- Hot Weather (Sport Medicine)

The intention being to make available codes which can be used as templates for the development of new codes by other organisations and therefore minimise the costs, including legal costs, required to develop Safety Codes in the future.

Eligible organisations are also able to use existing ORS Grants programs to apply for funds to develop Codes of Practice.

3. OCBA has been approached by the industry. However, it was felt that they would be compromised if they were to both provide assistance to individual recreation and sporting groups and be responsible for scrutinising and registering codes once developed. ORS has agreed to take on this role.

OCBA has developed and published resources that contain more information on the Act and how the industry can use the Act.

4. ORS is not qualified to answer this question on behalf of the insurance industry.

OCBA has developed a survey of the insurance industry to determine their understanding of the Act and the likely benefits that would flow to organisations complying with Safety Codes. This information will assist OCBA to administer the Act in a manner that delivers the greatest benefit for providers of recreational activity.

ORS understands that the intention of the Act was that Safety Codes registered under the Act would only apply to activities conducted in South Australia.

5. ORS is aware that several national bodies have developed or are developing national codes of conduct.

The relevant State associations that are implementing these include:

- The Australian Horse Industry Association who have developed the 'Horse-Safe' Code. ORS assisted in the development of this code by providing feedback and advice.
- Fitness Australia who have developed a Code for the operation of Fitness Centres.

As a pilot, ORS is assisting three industry groups to develop Safety Codes under the Act, including meeting the legal costs.

6. ORS has agreed to support a proposal from Victoria to make the Adventure Activity Standards (AAS) they are developing for outdoor activity the basis for the development of national Codes of Conduct in the following areas:

- Artificial Climbing Structures
- Mountain Biking
- Recreational Angling
- Recreational Caving
- River Rafting
- Rock Climbing
- Four Wheel Driving
- Abseiling
- Trail Bike Touring
- Surfing Sessions
- Snorkelling, SCUBA & Wildlife Swims
- Horse Trail Riding
- Challenge Ropes Courses
- Canoeing & Kayaking
- Snow Activities Resort
- Snow - Non Resort

It is envisaged that a representative peak body (Recreation SA) will undertake this task and liaise with both government and non-government stakeholders in each area to modify these codes for South Australian use, while retaining the essential elements and framework as a National 'Code'.

Other government agencies likely to be consulted in this process include Tourism, National Parks, Forestry, Planning SA, Transport SA.

SPORT, APY LANDS

515. **Dr McFETRIDGE:** Has any expenditure been allocated by the Office of Recreation and Sport to assist young people to participate in sport in the APY Lands?

The Hon. M.J. WRIGHT:
Indigenous Sport Program

The Office for Recreation and Sport (ORS) manages the Indigenous Sport Program (ISP) in South Australia. Three Indigenous Sport Development Officer's (ISDO) are employed through this program, one for each of the three ATSI regional councils in South Australia. The scope of the projects delivered by ISDO's include:

- Active Participation—promote and advocate increased participation of Aboriginal and Torres Strait Islanders people in sport and recreation.
- Skill Development—ensure opportunities exist to enhance skill development through established accreditation programs.
- Training and Development—improve access to sport and recreation facilities in Aboriginal and Torres Strait Islander communities equal to those enjoyed by the wider population.
- Development and Support—ensure effective and culturally sensitive consultation in the coordination and planning of service providers responsible for the delivery of sport and recreation to Aboriginal and Torres Strait Islander individuals and communities.

The officer responsible for the Nulla Wimila Kutja region is based in Port Augusta, and has responsibility to service the APY Lands, as well as the remainder of the region.

In 2003-04 ISP had a total budget of \$394,458 with a third of this amount (\$131,486) allocated to the Nulla Wimila Kutja region.

A large portion of ISDO's time and resources are allocated to the travel associated with servicing this region.

The ISDO makes between four to six trips per year to the APY Lands. During visits to the APY Lands the ISDO works with schools, health services and community councils. Services delivered includes:

- Education programs regarding the effects of smoking, alcohol, and drug abuse on sport performance.
- Discussions with community councils to explain ISDO's role, discuss their needs, any issues and any potential funding opportunities for the council.
- Conduct sports programs in schools, with an aim being to train teachers and Aboriginal Education Workers (AEW). If the ISDO feels that the response is positive, sporting equipment will be left with the community to allow the teachers and AEWs to continue to run programs.
- Conduct sports clinics with community members.
- Coaching/umpiring clinics and courses for community members
- Fitness training education sessions for community members

Other ORS initiatives:

In addition ORS ISP employs an Aboriginal Sport project officer with the responsibility for the development of statewide programs. In 2003-04 \$77,199 was allocated for this purpose. Initiatives emanating from this project include:

- ORS has recently negotiated with the South Australian Cricket Association (SACA) to develop a number of Indigenous 'Have A Go Centres' throughout the State. The agency has provided \$12,560 to SACA and expected outcomes are:
 - Three to five 'Have A Go Centres' established.
 - Coach education programs to be conducted in conjunction with centre establishment.
 - APY Lands targeted for two centres (Ernabella and Fregon).
 - Program to engage 100 participants in six to ten sessions.
 - Talented athletes to be identified and given the opportunity to join the 'Outback Flyers' talent squad.

ORS has established an Aboriginal Sport and Recreation Development Officers network. In June 2004 the first networking session was conducted in Port Augusta. Thirty-eight participants attended, with three participants from the APY Lands. Program included information sharing and coach education opportunities.

ORS is currently involved in negotiations with the Australian Football League for the delivery of a junior football program called 'Kickstart' throughout the APY Lands during 2004-05.

STATE AQUATIC CENTRE

517. **Dr McFETRIDGE:**

1. How much of the \$1 million allocated to the State Aquatic Centre in 2003-04 Budget over 2005-06 and 2006-07 will be carried forward as savings in these years?

2. What investment expenditure for the Centre been scheduled for forward years?

The Hon. M.J. WRIGHT: In response to the Honourable Member's questions I advise that the Department of Treasury and Finance have provided the following information.

1. \$500,000 in 2005-06

2. The government has scheduled no investment expenditure on an ongoing or recurrent basis, as this project is a Public Private Partnership (PPP) and not a traditional Government capital expenditure project.

With respect to the PPP availability payment, an ongoing recurrent expenditure of \$500,000 per annum from 2006-07 is in the Budget Forward estimates.

STATE SPORTING FACILITIES STRATEGY

518. **Dr McFETRIDGE:** With respect to the State Sporting Facilities Strategy:

- (a) has the \$100,000 allocated in 2003-04 to develop this fund been expended;
- (b) has this strategy been completed and if so, what are its outcomes and what initiatives have arisen from it;
- (c) has expenditure been allocated for these initiatives in 2004-05; and
- (d) how much has been allocated for the implementation of the strategy in 2004-05?

The Hon. M.J. WRIGHT:

- (a) It is expected that the State Sporting Facilities Strategy will be completed by September 2004 and therefore the entire \$100,000 is yet to be expended.
- (b) It is expected that the State Level Sporting Facilities Strategy be completed by September 2004

In terms of possible outcomes it is expected the State Level Sporting Facilities Strategy will provide:

- A clear indication of the government's position in relation to the design, development and funding of State level sporting facilities.
 - Guidelines to promote the development of State level sporting facilities in a strategic and cost effective manner.
- (c) No expenditure has been allocated to the implementation of the Strategy at this stage.
 - (d) As above, no appropriation has been made for the implementation of the Strategy in 2004-05.

OFFICE FOR RECREATION AND SPORT, MINOR WORKS PROJECTS

519. **Dr McFETRIDGE:** What projects are included in the ongoing minor works projects for the Office of Recreation and Sport?

The Hon. M.J. WRIGHT: The Office for Recreation and Sport (ORS) is currently in the process of finalising its 2004-05 Minor Works Program for all of its sites. However, all ORS owned and controlled properties will receive ongoing minor works in 2004-05.

The Office for Recreation and Sport also have ongoing maintenance programs for all sites. These programs include routine maintenance items such as fire detection systems, fire extinguishers, fire hose reels, mechanical plant, electrical switchboards, backflow prevention devices and lifts.

The nature of the ongoing minor works projects varies significantly between sites.

Whilst the program is currently being finalised, the following list of the minor works projects for 2004-05 are those that have had the preliminary work undertaken.

Pine Hockey Stadium

Rectify water leaks penetrating the grandstand—applying a waterproof membrane over the entire floor surface of the grandstand to prevent water penetration.

Hindmarsh Stadium

Rectification of the water leaks in the western grandstand, rectifying settlement in the Treasury Room in the southern grandstand where cracks are occurring and preventative works to the concrete structure on the northern, eastern and southern stands.

SANTOS Stadium

Installation of a monitored fire detection system in the office building. This work is above that required under the Building Code of Australia 1996.

State Shooting Park

ORS is exploring several options to mitigate the problem of the shallow water table on the property. Works may include dewatering and raising the height of the affected areas of the shooting ranges.

Southern Sports Complex

Provide a fixed permanent safe means of accessing the roof of the building. Access is currently gained by the use of an elevated work platform.

Adelaide Super-Drome

Installation of additional lighting over the start / finish line to increase the lux levels to enable improved quality of photo finish images.

Women's Memorial Playing Fields

Exploring options for the rectification of the balustrades around the main clubrooms.

Eagle Mountain Bike Park

The erection of a secure storage area on the site.

Kidman Park Site

Reception refurbishment. This project will improve the safety of reception staff and provide public access to toilets in the ground floor area so that the public is not required to enter secure areas.

Provision of additional public address speakers.

OPERATING COSTS, REDUCTION

520. **Dr McFETRIDGE:**

1. How will savings from the reduction in operating costs of \$181,000 in 2004-05 be achieved?

2. Were the forecasted \$60,000 savings to be made in 2003-04 by aligning the SASI program with the National structure achieved and is it likely that the future savings of \$161,000 in 2004-05 and the \$162,000 in 2005-06 will also be achieved?

The Hon. M.J. WRIGHT:

1. The 2004-05 budget indicates that the Office for Recreation and Sport (ORS) is to achieve administrative savings of \$181,000. ORS is currently exploring a range of options to achieve this savings target, with the priority on maintaining service delivery to the community.

2. SASI changed the structures of its Volleyball and Track and Field programs to align with National directions and with the endorsement of the respective State Association. TVSPs were offered to two coaches resulting in permanent savings. The savings targets for 2004-05 and 2005-06 are cumulative targets from the 2002-03 bases and have been factored into ORS budgets.

PHYSICAL ACTIVITY COUNCIL

521. **Dr McFETRIDGE:** With respect to the Physical Activity Council:

- how much was allocated to establish it;
- what will be its role, who will be represented on it and what will be its annual budget;
- how is it linked to the 'Be Active' program; and
- will its funding be sourced from the 'Statewide Physical Activity Strategy'?

The Hon. M.J. WRIGHT: With respect to the Physical Activity Council:

- No additional funding was allocated to establish the Physical Activity Council (PAC). The costs in its establishment were met by the existing budget of the Office for Recreation and Sport (ORS). These costs amount to \$14,920, being costs associated with advertising for community members.

Advertisements were placed in 28 metropolitan and regional newspapers throughout South Australia for a two-week period commencing on 17 June 2003 and concluding on 30 May 2003.

- The role of the PAC is outlined in the following terms of reference:

- Review and update the draft Physical Activity Strategy for South Australia toward achieving increased levels of physical activity.
- Lead the implementation, monitoring and evaluation of the Physical Activity Strategy for South Australia on behalf of the Ministerial Physical Activity Forum (MPAF).
- Provide strategic evidence based advice and recommendations to the MPAF regarding implementation of the Physical Activity Strategy for South Australia and other significant physical activity related issues.

- Harness the capacity of government (local and State) and the community toward the implementation of the Physical Activity Strategy for South Australia through collaboration and coordination.

The PAC is comprised of 13 members—six government, six community and one from the Local Government Association. The members are:

Community—Graeme Adler (Chair); Pauline Brooks (Deputy Chair); Jeff Dry; Jenni Lutze; Dr Kevin Norton and Cheryl Wright.

LGA Representative—Ray Guscott

Government Representatives—Michael Schetter—Director, Recreation and Sport Development (ORS); Terry Woolley—Director, Curriculum (DECS); Andrew Milazzo—Director, Transport Policy (DTUP); Dr Kevin Buckett—Director, Population Health (DH); Rick Gibki—Manager, Open Space (Planning SA) and Rob Nelson—Group Manager, Marketing and Commercial (Australian Major Events).

The only direct costs for the Physical Activity Strategy relate to the sitting fees for community members of the Council as recommended by the Office for the Commissioner for Public Employment. As mentioned in part (a) of this response, \$14,920 was also spent on advertising for community members, with these funds being met from within the existing budget of the Office for Recreation and Sport.

- be active* is an integral component of the Strategy and is the whole of government message encouraging more people to be physically active. The promotion and communication of *be active* is one of many strategies in the Draft Physical Activity Strategy that will be utilised by the PAC and the broader South Australian community to help achieve greater participation in physical activity.
- As discussed above, the Physical Activity Council is responsible for the implementation, monitoring and evaluation of the Physical Activity Strategy and will provide advice and recommendations accordingly. Therefore, any appropriate funding requirements will be sourced from the Strategy allocation.

BE ACTIVE PROGRAM

522. **Dr McFETRIDGE:**

1. How does the 'Statewide Physical Activity Strategy' differ from the 'Be Active' program and how much has been allocated to the 'Be Active' program in 2004-05?

2. Is the 'Be Active' program allocation part of the \$410,000 'Statewide Physical Activity Strategy' allocation?

The Hon. M.J. WRIGHT:

1. The draft State-wide Physical Activity Strategy has recently been developed by the Physical Activity Council and is being considered by the Ministerial Physical Activity Forum at its meeting on 19 July 2004.

The Strategy, once endorsed, will provide the Framework for South Australia that assists to ensure a coordinated and strategic approach by Government and the community to addressing the issue of low levels of involvement in physical activity.

Be active is an integral component of the Strategy and is the whole of government physical activity message encouraging more people to be physically active. This campaign focuses on increasing community awareness of the importance and benefits of sufficient physical activity as well as providing education on where and how individuals can be active.

The promotion and communication of *be active* is one of many strategies in the Draft Physical Activity Strategy to help achieve greater participation in physical activity. *Be active* will support a range of programs and services that emanate from the Strategy.

The promotion of *be active* and the development of a comprehensive and targeted physical activity campaign is part of the \$410,000 allocated to support the State-wide Physical Activity Strategy in the recent budget.

2. As above, the *be active* initiative is part of the \$410,000 allocated to support the State-wide Physical Activity Strategy.