HOUSE OF ASSEMBLY

Thursday 14 October 2004

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

AUSTRALIAN DANCE THEATRE

Mr HAMILTON-SMITH (Waite): I move:

That this house—

(a) congratulates the Australian Dance Theatre for its success at the National 2004 Helpmann Awards in Sydney with its production *Held* and winning best choreography by artistic director Garry Stewart and the dancers, best male dancer by Ross McCormack and best female dancer by Larissa McGowan;

(b) calls on the government to recognise and reverse the $150 000 funding cut over the past two years from the Australian Dance Theatre's core budget, and

(c) recommends that the government provide certainty for the company by confirming an improved core budget over the next four years.

I draw the attention of the house to the outstanding accomplishments of the Australian Dance Theatre. This company is doing something most unique and quite special, not only on the state and national scenes but also on the international scene. That was recognised recently with the company achieving recognition at the Helpmann Awards in Sydney for its production titled *Held*, in which it won best choreography by the artistic director, Garry Stewart, best male dancer, Ross McCormack, and best female dance, Larissa McGowan. This truly is an outstanding accomplishment.

Many members will have been to performances of the ADT, but, for those who have not, it is one of the most influential dance companies in the country and consistently has been producing a great repertoire in dance and dance theatre since it was formed in Adelaide in 1965. Under the current artistic director, Garry Stewart, the company is once again taking a radically distinctive trajectory, and this is an important point to make. This is not a company that takes other people's works, by and large, and reproduces them. It is a company that is innovative and is adding value to the core body of art globally within the country. It is quite creative, fresh and distinctly South Australian and Australian.

As well as contemporary dance techniques and classical ballet, the dancers are also coached intensively in break dance, martial arts, gymnastics and contact improvisation, and the result is a fusion of forms that constitutes a unique choreographic palate, for which there is no equivalent in Australia. I say that quite genuinely: it is unique. Garry's work is characterised by a no compromise attitude. It is fast, aggressive, technically demanding, is fraught with risk and charged with an urgency that is riveting to watch.

The ADT actively pursues new audiences with some success, offering attractively priced tickets to ensure access and equity across the board. It also firmly believes in the importance of a strong youth policy, as exemplified by the annual in-house season *Ignition* and the Magill Youth Training Centre dance workshops. It is very much a company that is involved in the community, and I am very happy to have it based in my electorate of Waite at the former Wonderland Ballroom—a terrific venue for this company. We are very happy to have it there and, as I said, it is something of which all South Australians should be very proud.

Members who did not have the opportunity to see the production entitled *HELD* during the Adelaide Festival really missed a treat, because it was something very special. *HELD* is a dance performance about photography, time and perceptions of reality. Embodying the dynamic tensions between the action of Garry Stewart's choreography and its fixed capture by photographer Lois Greenfield, *HELD* juxtaposes solidity and liquidity, heaviness and lightness, stillness with flow, and clarity with illusion into an extraordinary live performance using electronic strobes to photograph the dramatic explosions and propulsions which are Garry's signature, almost kamikaze style of dance. Lois has created the illusion of weightlessness by freezing these dynamic moments in 1:200 thousandths of a second projected instantaneously onto the screen for the audience, revealing to them a moment that exists beneath the threshold of perception. It really does capture something that is quite unique about the dancers, and you can see this spectacular photography because it is in a lot of the company's promotional material.

It is quite an innovative art form: it has been used before, but I think Lois Greenfield and Garry have taken this to a new level. In fact, Lois Greenfield has said:

> Although the subject of my photography is movement, its subtext is time, a series of 'Overlapping Nows'. It is as impossible to stop time as it is to perceive its passage, and to truly perceive 'stilled moments' is actually a neurological disorder!

It really is something that members should see if they get the chance—it will literally blow them away. And it has all been designed, created and made to happen here in South Australia.

It is little surprise, therefore, that the production and the company was so recognised during the Helpmann Awards. And, of course, there is the talent that made it happen. I refer to Garry Stewart, the choreographer, who, after training at the Australian Ballet School in Melbourne, danced with a number of companies including the ADT, the Queensland Ballet, and one other company before he began his career as a choreographer. Members will recall the turmoil in the ADT at the time of the departure of Meryl Tankard. Garry has resurrected the company and has set it on a new path of creativity. He has worked as a freelance choreographer, and he has helped set up the Sydney-based company Thwack!, creating two dance works—*Plastic Space*, which premiered at the Melbourne Festival and subsequently toured Australia; and the first stage of the production *Birdbrain*, which is a deconstruction of *Swan Lake*.

He was appointed artistic director of the ADT in 1999 under the former government, and *Housedance* was Garry's first project for the company, which was commissioned for the International Millennium Broadcast and performed on the outside of the main sail of the Sydney Opera House on New Year's Eve 1999 to an estimated television audience of 2 billion. Not a bad accomplishment for a South Australian company. His first full-length work with the ADT was the hugely successful *Birdbrain*, which was premiered at the Adelaide Festival 2000 as a work in progress and which I went to see with the former minister Diana Laidlaw. It was clearly a signal of things to come, and I think *HELD* has taken it to new levels. So to Garry I say, 'Well done on this accomplishment. You are very much at the heart of the creative urges of the ADT, and I look forward to seeing further brilliant works from you in the years ahead.'

Larissa McGowan, one of the awarded dancers at the Helpmann Awards, was born in Brisbane and began her dance training at the Queensland Dance School of Excellence

where she won the Queensland Ballet scholarship to the Victorian College of the Arts as well as the prize for the most outstanding dancer in 1987. She has choreographed two works for VCA students, *Stratagem* and *Without Conscious Thought*. The latter work was performed at the Melbourne Fringe Festival in 1999.

In her graduating year, Larissa won the Mary Orloff Award for the most outstanding talent. Larissa joined the ADT in 2000 and has since performed in *HELD*, *Nothing*, *The Age of Unbeauty*, *Birdbrain* and *Attention Deficit Therapy*. She is a great addition to the company, as is Ross McCormack, the other recognised and awarded dancer, who graduated from the New Zealand School of Dance in 2001. It is interesting that we also have a New Zealand performer who received a Helpmann Award under the auspices of the South Australian Theatre Company. So, we have New Zealanders and South Australians getting together and creating something quite unique here in Adelaide.

During his final year, Ross McCormack worked on a solo piece called *Anthem*, which was choreographed by Douglas Wright. His choreographic work has included *Triptytch*, *Jiggery Pokery* and *Ping*. He also made *The Bag*, a short dance film. Ross performed in Douglas Wright's Dance Company's *Inland*, at the 2002 New Zealand Festival of Arts, and he went on to work with the Royal New Zealand Ballet. Since joining the ADT in January 2003, Ross has performed in *HELD*, *Nothing* and *The Age of Unbeauty* at the Melbourne International Arts Festival, toured to the UK and performed at the Holland Dance Festival as part of the ensemble for *Birdbrain*. He has also choreographed *Tui* and *Wallflowers* for the *Ignition* series. Ross has really brought something to the company. Well done to the three artists who have received awards, but also to the whole company for what it has achieved.

That, of course, leads me to the future. I have asked a number of questions of the government about this, and I am pleased to see the Minister Assisting the Premier in the Arts in the chamber today. I understand that he will make a contribution, and I thank him for that. I have previously raised concerns about the government's early steps to cut the budget of the ADT. On 18 June 2003, I expressed concern to the house following questions in estimates about a cut of $75 000 in 2003-04 to the company, and a further massive cut of $150 000 in 2004-05. That was later ameliorated downward, but the bottom line is that, where the company once received $925 000 a year, it now struggles to receive $850 000 a year from the South Australian government. It also receives, I think, $225 000 from the Australia Council through the federal government—brilliant federal government that it is, and newly elected—but it does need this commitment from the state government. I was disappointed that the Premier saw fit to take the axe to the ADT.

I recently received a reply to a question on notice (question No. 416), in which the Premier confirmed that only $850 000 has been provided, and there seems to be no funding certainty in the years ahead. However, I was pleased to read in *The Advertiser* of 2 September that the Premier had made a special grant of $100 000 to the ADT on a one-off basis to support it to develop a new work called *The Machine*, which is a collaboration with French-Canadian Robotics expert Louis-Phillipe Demers. I saw a photograph of Mike Rann on the front of this article, with Larissa McGowan and Ross McCormack in the background. I commend the company, because the way to get money out of this government is definitely to appeal to the ego of the Premier—get him there, get a photograph in *The Advertiser* with him, and chances are you will receive some funding support. On a more serious note, I commend the Premier for taking that step.

I think that the new director of Arts SA, Greg Mackie, has picked up the cudgels here, and a challenge for him is to improve the relationship between the government and the company so that funding certainty can be provided, because it is worth protecting. I think that, in their hearts (and I made this point in my motion in the house on 25 September 2003), the Premier and the minister assisting would recognise that the ADT is a jewel which needs to be polished and which needs to shine brightly nationally and internationally.

It gets better for the ADT because its success at the Academy Awards has been complemented by four nominations in the 2004 Australian Dance Awards. Ausdance New South Wales has announced that the ADT will be short-listed in the following categories: outstanding performance by a female dancer, Larissa McGowan in *HELD*; outstanding performance by a male dancer, Paul Zivkovich in *HELD*; outstanding performance by a company, the ADT for *HELD*; and outstanding achievement in choreography, Garry Stewart for *HELD*. So, this brilliant company goes forward to new heights.

Garry and the company are presently in Heilbronn, Germany, preparing for the first of 24 performances of the company's signature work *Birdbrain*, which also takes them into venues in Belgium, France and the Netherlands. The ADT will also perform *HELD* at the Monaco Dance Forum on 15 December. I understand that the company is looking at opportunities to perform in China and elsewhere. The demand from around the world for this company is extraordinary. There is growing recognition that this company is unique amongst the world community of dance; that it has something new and exciting to offer.

That leads me to throw down a challenge to the government. There needs to be a funding future for the company. We need to reverse the setbacks of the first two years of this government's tenure. I understand the company would like to re-employ an additional two dancer positions. Given that we have cut a substantial amount from the company, at least $200 000 to $250 000 of supplementation would be appropriate when we look at the value for money we are getting from this company. There is a need for not only new dancers but also technical and proportionate backup administrative support, salaries, and so on, to ensure that people are remunerated.

People give extraordinary hours of their own time to these companies, often unremunerated, which needs to be recognised. Funding needs to be there to support such growth, energy and commitment. The repertoire needs to be constantly enlivened and refreshed. The touring program needs to be supported. Of course, there is a great opportunity to promote South Australia. I commend the motion to the house. The government may wish to soften my criticism of its funding but, in so doing, I appeal to the government to tell the house today of its future funding plans for the company. If it is not going to support my motion in its entirety, then, in amending it, the minister should indicate to the parliament and the company what vision he sees for this fabulous asset that South Australia has in the ADT—it is one of many but it is one that needs to be promoted. Five years ago the company had 21 full-time staff; now it has only 15. The company needs support; it needs to grow; and it needs a funding

commitment from the government for the future. I commend the motion to the house.

The Hon. J.D. HILL (Minister Assisting the Premier in the Arts): I move:

That all words after the word 'McGowan' in the motion be deleted.

The effect of my amendment is to remove paragraphs (b) and (c)—the blatant political points-scoring elements of the motion—and concentrate on the first part, which is about congratulating this fantastic South Australian dance company, the Australian Dance Theatre, for its success with the 2004 Helpmann Awards; and really to recognise the fact that this is one of the premium arts companies in Australia, and, obviously, the most significant dance company in Australia. I have to say at the outset that, as Minister Assisting the Premier in the Arts, I do not assist him in this area. Dance is one of his particular passions, and I know he enjoys being the minister responsible.

I also confess to the house that I enjoy very much modern dance, and over the years, during festivals, I have been to see many fantastic international and national companies. I remember seeing Pina Bausch when she was here many years ago and being absolutely captivated by the form, and from time to time I have seen performances which I have really enjoyed. Recently I saw the Bangarra Dance Theatre, both at the festival and earlier in my term as a minister at Mount Gambier as part of the Country Arts Touring Program.

Having said all that, I have to say that I have not seen the Australian Dance Theatre perform for some time, not because I have not wanted to do so but because the performances in Adelaide have not coincided with nights I am free. I last saw the company perform under its former director. The government joins with the opposition in congratulating the company for winning three prestigious Helpmann Awards for *Held* which was premiered at the 2004 Adelaide Festival and which will be presented in early 2005 in Alaska and the Joyce Theatre in New York, as part of the company's overseas touring schedule.

The Australian Dance Theatre has recently completed its third successful season at the Opera House Drama Theatre since 2001. Sydney audiences have now had the opportunity to attend performances of *Birdbrain*, *The Age of Unbeauty* and *Held* by the company. At the September 2004 Business SA Export Awards, the Australian Dance Theatre received a high commendation in the arts entertainment category, and I congratulate the Australian Dance Theatre on this recognition as an international exporter of high quality performance art.

On 9 October, the company departed Adelaide on a 9½ week European tour, comprising 22 venues in Germany, the Netherlands, France, Belgium and Monaco, with *Birdbrain* and *Held*. I am sure the member for Waite would have enjoyed joining them on that tour.

Mr Hamilton-Smith interjecting:

The Hon. J.D. HILL: I would have been happy to be involved in a bipartisan approach to such an interest in the arts. In the third week of January 2005, the Australian Dance Theatre again departs Adelaide for further touring to Europe, the UK and the USA with *Birdbrain*, *The Age of Unbeauty* and *Held*. This extensive touring takes in 24 venues, including return seasons at South Bank in London, the Anchorage Concert Association, which were co-commissioners for *Held*, and the prestigious Joyce Theatre in New York, as I have already mentioned. Following on from the 2004 Europe tour, this schedule represents the most extensive international touring undertaken by an Australian dance company.

The Australian Dance Theatre receives a generous core funding grant of $850 000 from the state government and $232 000 from the federal government through the Australian Council, giving it a total of $1.08 million. This makes the company one of the best funded contemporary dance companies in Australia. The company is managing its affairs with this level of funding, augmented with travel grants and commissions and significant fees for its overseas touring.

In late August the Australian Dance Theatre was also awarded Art SA's 2004 Major Commission's grant of $100 000 towards its new work, *The Machine*, and the South Australian government has provided the company 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 when the budget is brought down. Thus, the allocation 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 the month of May of those years respectively.

I note that the member for Waite, as the shadow minister for arts, encourages the government to put more money into the dance theatre. The government would love to put more money into the dance theatre. No doubt, he will encourage us to put more money into opera, the State Theatre, the orchestra, the libraries and all the other institutions, and, no doubt, other shadow ministers would like to see the government put more money into education, health, police, the environment and disability. They call regularly for extra funds for those enterprises, all of which are no doubt worthy. Having been in opposition myself, I recognise that it is something that oppositions can do. There are not too many things opposition members can do, but they can do a couple of things. They can call for inquiries, and the member for Finniss is the expert for calling inquiries, getting outraged and saying, 'We have to have an independent inquiry into this.' The second thing they can do is to call for more funding, but what they are not responsible for, of course, is working out where that money will come from and looking after the financial arrangements of the state.

This government looks at all the priorities and tries to cut the cloth to suit all the needs of the community, and it is not an easy task. I know some members opposite have been ministers, and they know as well as I do that you just cannot ignore the fact that, if you are going to put more money into one thing, you either have to take it out of some other program or you take it out of the taxpayers' pockets.

Until the member for Waite and other members of the opposition suggest which taxes should rise or which programs ought to receive less funding, I guess we will just have to go through the normal processes in relation to the Australian Dance Theatre. But I join with the member in congratulating the company and commending it to the house. This is a fine institution based in South Australia. Unfortunately, not too many South Australians, I suppose, go along and watch their performances, and that is to be lamented. I certainly hope that these awards and the small attention that this motion will bring will encourage more South Australians to go and see the company perform. That is something that I hope I will be able to do in the near future.

Mr HAMILTON-SMITH (Waite): I thank the minister for having the courtesy of coming to the house on the day the motion is moved to respond. I also thank the Premier for agreeing to that. It is encouraging when such motions are dealt with promptly—I think it is a good sign. In closing the debate I am not going to oppose the minister's amendment to my motion, because I know that the minister will use the government's numbers, should I oppose it, to crush the opposition's appeal for the government to reverse the cuts it has made and to provide certainty for the company. I can count, and we know that the Labor Party will support the minister's amendment and oppose my proposition.

In closing, I make the point that this is not new money that we are calling on the government to provide to the ADT: it is simply putting back the money it cut. The reality is that, when the Liberals were in government, the ADT got $975 000 a year and, now that the Labor Party is in government, it gets $850 000. That is the reality—the money was taken away. All we are saying is, 'Give the money back.' It is not new money; you stole it; give it back. Here is something worth supporting. The other point is simply that the company needs certainty. I know—

The Hon. J.D. HILL: I rise on a point of order. The member for Waite in advancing his arguments accused the government of stealing money from the ADT. I think that he said, 'You stole it.' It is certainly untrue and unparliamentary for him to use that remark. I ask him to withdraw it.

The SPEAKER: It is unparliamentary to accuse the Speaker of stealing money from anyone. The Speaker never does such things, no matter who the Speaker is.

Mr HAMILTON-SMITH: I have made my point that the money was taken away. Call it what you will.

The Hon. M.J. Atkinson: No; apologise and withdraw.

Mr HAMILTON-SMITH: Did you ask me to withdraw, sir?

The SPEAKER: No.

Mr HAMILTON-SMITH: No; well, it is not unparliamentary language.

The SPEAKER: The accusation was against the Speaker.

The Hon. M.J. ATKINSON: On a point of order, I know, sir, that you are technically right in saying that the allegation by the member for Waite that the words 'you stole the money' were directed towards you, but I take them as being directed towards the government and me, in particular. Therefore, given that I have just been subject to an allegation by the member for Waite that I 'stole money' from the Australian Dance Theatre, I ask the member for Waite to apologise and withdraw. Irrespective of my hurt feelings, it is also unparliamentary.

Mr HAMILTON-SMITH: I am astounded at the minister's fragility on this issue but, if he has taken offence to the word 'stolen', I am happy to withdraw it and say that he took the money away.

The Hon. M.J. Atkinson: I didn't.

Mr HAMILTON-SMITH: Well, the government took the money away—that is the reality. These frivolous points of order by the Attorney, when *Hansard* is read by the company, simply signal the government's attitude to the arts. In concluding—

The SPEAKER: Order! The honourable member for Waite will need to make it clearer to the chamber that he regrets the inference that any member, minister or the Speaker would steal anything. If the allegation is that the executive, meaning the ministry collectively, inappropriately took money from one program and put it into another, that is another matter that may be stated in terms that are less offensive. That will not therefore be regarded as unparliamentary. But it is unparliamentary to accuse any member of stealing anything or any minister of stealing anything, unless it is by substantive motion.

Mr HAMILTON-SMITH: I take your point, sir. I withdraw any inference that the government in any way stole money from the ADT. I realise I should have used the term 'withheld', 'removed' or 'took away'. In concluding, there is a need for a funding vision. The minister has said that the government will not provide a budget until the year arrives. It will not provide a budget for 2005-06 or 2006-07, and what this means is that it is taking it year by year. We are having the arts and the ADT strangled for the first two or three years, then in the final year there will be some more money; we will have an election, which the Labor Party will hope to win, then there will probably be another two or three years of strangulation followed by another payment to arts companies prior to the 2010 election, and so on.

The arts community knows the cycle. That is why the government will not commit to a funding future for 2006-07 and beyond for this or any other company. It wants to strangle the companies for two or three years and make it back at the end. But I take in good spirit that the minister and the government recognise the company's achievement. I thank the government for that. I am disappointed with the amendment but, as I said, we will not oppose it, because we can count. We simply hope that the minister and the Premier have taken on board the need to support and sustain this company in the future, because it is an outstanding asset for South Australia.

It promotes the state and signals to the world our accomplishments in the arts. It is a beacon for tourism and for what this state can achieve. The ADT is part of South Australia's legacy to the world and is something of which we should be proud.

Amendment carried; motion as amended carried.

INFANT HEARING SCREENING

The Hon. D.C. KOTZ (Newland): I move:

That this house urges the government to—

(a) implement a statewide screening program that would detect permanent hearing impairment in infants by a median age of two months; and

(b) adopt the recommendations of the evaluation report of the newborn screening and assessment pilot program conducted in 2003-04.

Ask any parents what they would wish for their children and most would probably answer 'good health'. Technology is evolving at an amazing rate these days, especially in the field of health techniques and preventative medicine, and we should all be prepared to use these amazing advances to safeguard the health and wellbeing of our children. A decade ago, our children's hearing was tested by making sounds and observing the child's reaction, a difficult and often unreliable process. These days, you can test a child's hearing in both ears in the first few days of life with a minimal financial outlay and a few seconds of effort. To have such technology at our fingertips and not make best use of it for our children's health is irresponsible and unforgivable.

Can members imagine the pain and anguish of a mother when she finds out her son or daughter has profound hearing difficulties and may never learn to speak because the problem was not detected early enough? Hearing impairments affect 1 to 1.5 per 1 000 newborn infants, approximately 250 to 400

births in Australia each year. In South Australia this equates to some 20 or 30 newborn infants each year who will present with hearing loss. This is more frequent than other conditions for which newborn screening occurs. The consensus statement ratified by the Australian National Hearing Screening Committee at a national forum held in Adelaide in March 2001 at the Women's and Children's Hospital contained the following statement:

> Significant bilateral hearing impairment, if undetected, will impede and can have profound effects on speech, language and cognitive development and, therefore, emotional and social well-being. Unilateral and mild hearing impairments can also have significant educational impacts.

The forum attracted more than 1 120 participants from all states and territories of Australia, including audiologists; teachers of the hearing impaired; neonatologists; paediatricians; ear, nose and throat surgeons; nurses; epidemiologists; and parents of children with hearing impairment.

There are many tragic circumstances which can inflict disability in many different forms onto the very young. Society looks to science and the newer technologies to seek answers which can prevent disability and death. The technology to detect hearing loss has been used in screening programs since 1990 but, due to costs and low sensitivity of the screening tests, a universal screening program for the newborn has been resisted. Technological advances since the nineties have made hearing screening relatively inexpensive and very efficient, with the potential to provide significant benefits to society.

The implementation by this government of a state-wide, newborn hearing screening program would ensure that children suffering from any degree of deafness are identified from as early as the neonatal stage up to six months of age to allow for corrective measures to be undertaken in these early stages. Children with hearing problems can lead full and enriched lives if problems are detected early, but the later a hearing deficiency is detected, the harder it is for a child to reach its full potential. In this day and age of technological advances there is no excuse for any child with a hearing disability going undetected until they are between 18 and 24 months of age.

The detection of hearing loss in the first 12 months of life can be difficult, and is often missed by both the infant's parents and their GPs. Data from Australian Hearing indicates that the median age of detection of Australian children with the most severe hearing impairment is between 12 and 18 months, while the median age at detection of children with moderate hearing losses is between four and five years of age. Current international research indicates that babies whose permanent hearing impairment is diagnosed before the age of six months and who receive appropriate and consistent early intervention have significantly higher language levels than those children identified after the age of six months.

The research also shows that, of children aged five years with permanent hearing impairment, it is estimated that 90 per cent have had the impairment since the neonatal period. In recognising the importance of hearing screening for newborn infants, it should also be recognised that babies with hearing loss who receive intervention before six months of age experience far less psychological and sociological disadvantage and have essentially normal speech and language development by the age of three. It is also true that exposure to language in the first six months of life assists the phonetic perception of the infant. The delay in language development that is exacerbated by a late diagnosis can lead to lower academic achievement, poor self-esteem and reduced employment opportunities as the child grows from infancy to adulthood.

At this point I would like to advise members of the house of the background work that has already taken place in South Australia to progress the implementation of a universal screening program. In February 1999 a working party for Universal Neonatal Hearing Screening was set up to work towards the establishment of the universal newborn hearing screening program for South Australia. In April 2000 the working party affirmed the policy of newborn hearing screening as feasible, beneficial and justified. In March 2001 the South Australian UNHS working party and the Public Health Association jointly sponsored a national forum in Adelaide to produce a consensus statement and further the implementation of universal screening in Australia.

In August 2000 the Board of Child and Youth Health agreed to promote the implementation of newborn hearing screening in South Australia and, following ministerial discussions, put forward a proposal for Child and Youth Health to auspice a UNHS program. Community partners were sought, and the Lions Club of Australia agreed to seek funding locally and internationally to sponsor the universal program if funds could be gained from the Department of Human Services. In November 2001 Child and Youth Health was successful in attracting funds from DHS, the Lions Club of Australia and Lions International, which were successful in raising funds for the project and contributed one-third of the costs of the project.

The universal neonatal hearing screening and assessment pilot commenced in April 2002 with the employment of a project officer on a 10-month contract. Five hospitals in this state were chosen as pilot sites: the Lyell McEwin Health Services, Gawler Health Services, Central Districts Private Hospital, Murray Bridge Soldiers Memorial Hospital and Mannum Hospital. This enabled the pilot to assess the feasibility of screening newborn hearing in a number of different birthing settings, including a large public hospital, a private hospital and small and larger country hospitals.

Before I continue with the background and the results of the pilot study, I take this opportunity to advise the house about the technology devices currently used for screening hearing loss. The two main screening tests currently used are: oto-acoustic emissions (OAEs) and automated auditory brain stem responses (AABRs), which show a sensitivity close to 100 per cent and a specificity above 90 per cent. OAEs have been shown to be an efficient first-line screening test, and they are currently being used in many established programs as they are quick, less invasive and easy to use by non-audiologically trained staff.

Although the AABR test has better sensitivity, with false positive rates as low as 2 per cent, the OAE unit is a hand-held device with a digital readout screen. It has a small cable with a sensory earpiece attached. In simple terms, the earpiece is similar to that used for a hands-free mobile phone. The earpiece is disposable and is changed for each screening. It is not intrusive and sits comfortably in the infant's ear. The hand-held unit is then placed in another small unit—almost like placing a mobile phone onto a battery charger. This time, the second unit reads the information provided by the hand-held unit and provides a printed readout for the nurse's information and record. These mobile units are ideal for the nurses to use outside the hospital structure and enable screening to take place in all areas of our state, particularly in rural and remote communities. The AABR is a larger unit

and requires a higher level of audiological skill. It is best suited as a follow-up test for those screened positive on OAEs or as a first-line screen on children with known risk factors.

The South Australian pilot was unique in Australia, being a collaborative project between acute care services and a community child health agency. In the pilot, hearing screening was integrated into existing service delivery in both hospitals and Child and Youth Health. The screening was carried out by midwives in the hospitals in the first few days after birth, and follow-up was provided by the CYH nurses for those babies requiring a second screening test. Training was provided to midwives and community nurses by Child and Youth Health hearing assessment staff, the project coordinator and the coordinator of the Western Australian newborn hearing screening pilot. A paediatric audiologist with experience in measuring auditory-evoked potentials in children was employed for the project to provide definitive audiological assessment for those babies who failed the two-stage screening process. This service was provided locally as part of the pilot at two sites using portable equipment.

Hearing screening results were collected on the South Australian Neonatal Screening Centre data card, which collects information relevant to the neonatal screening test. The database was used to track babies who missed the hearing screen, or who required follow-up, as well as to monitor the screening process. Between 12 August 2002, when screening commenced, and 30 April 2003, 1 651 babies were recorded on the neonatal screening service database. The program was found to be cost effective in comparison with other hearing screening programs, because all the hospitals and CYH agreed to conduct screening with existing staff, rather than the program's funding dedicated screening positions. Based on the current birth rate for South Australia, the cost of a statewide program based on this model is estimated to be approximately $34 per child screened. The final assessment of this program in the report received by this government states:

> The newborn hearing screening model implemented during the pilot has been shown to be effective, efficient and cost effective, gaining excellent population coverage and with prompt assessment for those babies requiring this.
>
> The pilot has shown that hearing screening can be accommodated within existing service delivery, and that midwives and nurses are well placed to conduct the screening. The way forward for newborn screening in South Australia would be to extend this model to all of South Australia in stages.
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> One option would be that this could be done in conjunction with the roll-out of universal home visiting of all new parents, which is currently being implemented by CYH. This would enable the nurses conducting the home visiting to also carry out the hearing screening follow-up for those babies referred from the initial screen conducted by midwives in hospital.

The report's recommendation is as follows:

> It is recommended that a statewide newborn hearing screening program be established in South Australia that takes into account the lessons learnt from the pilot, that funding is sought from DHS, that it is coordinated by CYH and that a two stage OAE and AABR model with screening being conducted by midwives and CYH nurses being pursued.

The pilot program was four years in the making (completed 30 April 2003), and it has now sat with the government minister for just over a year. We heard from the Minister for Health as she relaunched the roll-out of nurses visiting mothers and babies in their homes for the third time over two years; and, on 11 April this year, the minister's press release told us that the program had already resulted in early detection of problems not only in newborns but also in some of their older brothers and sisters. For example, visiting nurses have detected hearing problems in toddlers within a newborn's family.

The minister's own observations in her press release clearly identify the tragedy of circumstance about which I talk in this motion and which allowed these siblings (that is, the brothers or sisters of newborn infants who may be aged between two and five years) to escape detection of hearing problems for such a long time. These children identified by the minister are, in fact, the statistics which medical professionals across Australia bring to our attention, with the clear message that the lengthy gap between detection and intervention that now exists is no longer acceptable.

The roll-out of the program whereby nurses visit newborns in their homes was intended to be a part of the universal screening program. Children with hearing problems today do not have to suffer the hardships and difficulties with which previous generations have battled. We now have the advanced technology; the feasibility study has been successfully completed; the pilot program was confirmed in its success; the program to implement has been acclaimed as justified and cost efficient; and the process for delivery is available through existing services.

I would like to take this opportunity to thank all the dedicated people at the Modbury Hospital, especially paediatrician Dr David Courlis, who first brought this matter to my attention and who made me aware of the technology and its successes; and senior speech pathologist Christine Beal for the wonderful results achieved in testing for hearing deficiencies in newborns. The progress that has been made at Modbury Hospital, and the ease with which the hospital has adapted to such a testing regime, indicates that a universal neonatal screening testing program is feasible, and it is achievable in all South Australian maternity hospitals and with a minimum of delay.

I urge all members to seriously consider the matters I have raised in this paper today. It means that, within a very short period of time, the government could include a further move to assist children with hearing deficiencies.

Time expired.

The Hon. R.B. SUCH (Fisher): I would like to make a brief contribution. I commend the member for Newland for introducing this measure. I have an interest in this matter because one of my boys is totally deaf in one ear as a result of nerve deafness, and partly deaf in the other ear. I know that the honourable member's motion focuses on very young infants, but it might surprise members that deafness was not detected in one of my lads until he was six years of age. It was picked up through the screening process which occurred in schools at that time, despite the fact that his mother was a double-certificated nurse and his father had spent a lifetime, almost, in education. My son could lip read very well, which tended to cover for the deafness. The point I want to make is that I believe there is merit in screening programs for children at various levels.

I have not been able to digest it in the time available, but I have just received about a 200-page report on screening of young people, children, which was produced by the National Health and Medical Research Council. It makes specific reference to issues such as deafness and also a lot of other medical conditions. Whilst it is too early for me to make any considered response to the material that has been provided, I urge the government to look at the merits or otherwise of an

extensive screening program—not just for what the member for Newland is arguing but also later in the life of a child. I appreciate that just prior to going to kindergarten, or around about that age, there is fairly widespread screening, but I think there is merit in extending that screening, certainly into the middle or possibly upper years of primary school at least.

A very successful program is occurring right now on the West Coast, funded by the Division of General Practice with financial support from the commonwealth government, whereby professionals are looking at a whole range of disabilities and other aspects that may afflict children of all ages on Eyre Peninsula. They are looking at not just some of the more traditional aspects but also things such as dyslexia, problems at home and depression. I know from some of the early results that it has had tremendous success in regard to, for example, reducing the number of teenage suicides. That screening clearly relates to secondary schoolchildren, so that has gone beyond what I indicated earlier, that is, screening in the middle and upper primary years.

The Scandinavian countries put a lot of emphasis on this type of approach, which I think is sensible—early detection followed by early intervention. It is no good finding out that a child has a disability if you do nothing about it and it is purely an academic exercise. I think it would be a great investment. We know that good teachers can pick up a lot of these issues but, unless they are followed up by appropriate programs and treatment, they will not achieve much.

I have had discussions with the Minister for Health. I know there are people in the bureaucracy who have some reluctance about universal screening of children, just as there is a great debate about universal screening of men, for example, in regard to, say, prostate cancer. There has been great success with women in terms of early detection of breast cancer and cervical cancer through pap smears, but in that regard I am still astounded by the attitude of some people. I will not be too specific, but someone who lives in my street received a breast cancer screening reminder and threw it in the bin, and proudly boasted to me that she had not had a pap smear for 25 years. She is someone whom I would regard in all other respects as being an intelligent woman holding a professional job. So, we still have this reluctance, even amongst adults, to engage in early detection, hopefully early treatment and, if necessary, early cure.

But, returning to the substance of the member for Newland's motion, I would like the government to look at this issue not just in relation to infants. I think it makes a lot of sense if you can pick up factors such as deafness early and do something about it, but there are a lot of other conditions. I know an adult male who is sterile because he suffered from a condition where the testes did not descend; and that would have been picked up in a primary school screening program. What a penalty for someone to endure for their life—not being able to be involved in having children—because of a simple, correctible medical program that could have been picked up in primary school.

Some members here are probably too young to remember being lined up in their singlet and jocks to be scrutinised by the nurse and the doctor. At that age we are all a little sensitive about fronting up and being weighed and people checking for curvature of the spine and all that sort of thing. However, if you can remedy one of those significant medical problems as a result of early detection and early treatment, then I think it is a wonderful thing. I commend the member for Newland for what she has done in bringing this to the attention of the government. I believe the Minister for Health is willing to look at this whole issue, as I am sure is the Minister for Education and Children's Services. Clearly, there is no point in screening just for the hell of it if there is no benefit, but I would urge both ministers to be vigorous in their examination of the evidence, particularly that made available by the National Health and Medical Research Council, so that we can ensure that our young people (and as they become adults) have a better and healthier life.

Mrs REDMOND (Heysen): I, too, rise to make a brief contribution on this matter and to congratulate the member for Newland for bringing it forward. I was interested when I read about this issue to find that we had already instituted the system for this neonatal screening process a couple of years ago and, indeed, had the results which led to a recommendation that the screening program be instituted generally. It surprises me that the government has not moved to introduce it already, given that, on a number of occasions, the minister has been at great pains to point out to the house the success of the visiting program called 'Every chance for every child'. It is my recollection that the minister indicated some time ago that that visiting program had visited approximately 98 per cent of the newborns and families of newborns in the last year in this state. That is an excellent record, because it has always seemed to me to be a good idea to bring the screening program to the families, rather than relying on the families to take their children to the baby health clinic (as it used to be called when my babies were young) for screening.

As the member for Fisher said, people can be reluctant about attending those places but, more importantly, there is a certain group in the community who do not take their children to such places as baby health clinics; it is not part of what they have been taught to do in their parenting or that they are considering doing. Therefore, the problem with the baby health clinics was that, whilst they provided an excellent service, generally the people who were taking their children to the baby health clinics were the people who were least likely to be in need of assistance, and the people who were most likely to need the assistance were the very ones who were not necessarily attending at the clinic. To take the screening process to the people in their homes and, at the same time, to check the home environment and all that sort of thing seemed to me to be a huge step forward. If we are capturing 98 per cent of births in the state by that process already and we are calling it 'Every chance for every child,' it seems to me only reasonable that every child should be given every chance.

As I understand the figures, some 20 to 30 children in this state each year are born with this hearing impairment, which, if it is detected at a very early stage, can be profoundly improved by not necessarily getting rid of the hearing impairment but by enabling the child to grow with an auditory capacity and therefore a capacity to learn language that will see them through life. Ultimately, that will save successive governments a lot of money, because the cost to the community of people who do have to live with a significant impairment can be quite profound in terms of their socialisation, their employment and all sorts of things. We can help to address that by going through this neonatal screening process, which I understand to be in three steps. The first screening is at the very early stage when the baby is just days old, and then subsequently after leaving hospital when the child can be tested by the visiting nurse. If there is a problem at those two stages, then the more expensive

equipment needs to be used for the final screening test to determine what needs to be done.

I understand that, of those 20 to 30 per year born in this state with that hearing impairment at the moment, less than half are identified and treated appropriately before 12 months of age; whereas the research apparently indicates that, if they can be identified very early, the screening program can assist these people to have appropriate treatment as they grow up, so that by the time they reach school age they have significant language ability just like other school age children and they are not put at that huge disadvantage. I think that it is excellent that the member has brought this matter to the attention of the parliament and of the minister. I hope that the minister will recognise that 'Every chance for every child' should mean that the children who have a hearing impairment at birth are identified, given that the systems and databases are already set up; they are already in place, because the pilot program already existed.

Also, I understand that, when the pilot reference group assessed the pilot program, it made recommendations that, based on the success of the pilot, newborn hearing screening be extended to all hospitals in South Australia. According to the member for Newland, all the mainland states have already either adopted a program—Western Australia, New South Wales, the ACT and Queensland have adopted a program—and, whilst Victoria and the Northern Territory, like us, have not yet adopted a program, they have at least indicated that they are considering, or are about to commence, programs or pilots.

So, we are clearly falling behind the rest of the world, when you think that already 30 states in America have this screening, and yet we in this state have not even considered introducing it on a permanent basis, notwithstanding that we have already run a successful pilot. The evidence is there, the technology is there and, if we do not watch out, we will be falling well behind. It is simply unacceptable to me that the technology is there and we in Australia have the capacity. The financial circumstances are no excuse; by my calculations it would be possibly less than $500 000 for the program to proceed to test all children on the basis of $34 per child for the number of births in this state. If you can test all the children and get that major impediment dealt with so that if they have a hearing impairment it does not become an impediment in their lives, then that is a major step forward. When you think that this government is having a windfall gain on its property taxes of about $2 million a day then $500 000 to institute the program seems to me to be a very small price to pay for a very big net gain at the end.

The Hon. M.R. BUCKBY (Light): I also rise to commend the member for Newland for bringing this motion to the house and also to support her in this motion. A friend of mine is an audiologist and he operates a private practice. Ron Kendall is his name and he visits many country hospitals and consulting rooms around country South Australia. He has had a number of discussions with me about this very matter, namely, the benefits to the child of being tested within two to three days of their birth. He is testing children and adults all around South Australia and identifies many hearing problems in both children and adults, and he has advised me that the technology is now available for this testing to be done on children who are two and three days old without any discomfort to the child. He has also advised me that the technology is such now that the accuracy of that testing is improving and that it is extremely accurate indeed.

As the members for Newland and Heysen have said, the 'Every chance for every child' program, where new mothers receive a visit from a community nurse or the old CAFHS nurse as we knew them, in their own home, would be an ideal opportunity for the child to be tested a second time. So, this home is already being visited to follow up with the mother after the birth of the child, and these tests can be undertaken with a very simple machine. Once the nurse is trained, the test could easily be conducted in the parents' home. It is not something that could not be combined with the job already being done. As the member for Heysen has said, if you costed out the number of children, multiplied by $34 per test, it does not come to a large amount of money. I suggest that that amount is even further reduced when you realise the cost of not identifying these young children—the cost to their parents, to the community and the opportunity cost—

The Hon. R.B. Such interjecting:

The Hon. M.R. BUCKBY: As the member for Fisher says, with my economics background it is an opportunity cost, as it is a loss that is not recognised and is a cost to the community because the problem is not identified. I go back to my time as Minister for Education and Children's Services, when I had a chap by the name of John Joseph conduct a couple of discussion nights around South Australia—one at Renmark and one at Port Pirie. He talked about brain development in children and how quickly the brain develops between zero and three years. By the time a child is six or seven years old, all of the brain is developed, including memory and speech functions, and there is very little to be developed thereafter. After that only the size increases somewhat. This is where this speech development occurs and, with a child who is unable to hear, the earlier it can be picked up the better the chance of that child's enjoying hearing and the better the chance of that their being able to develop speech at a very early age. As a result, when they get into school the better the chance that they will not have problems in terms of learning difficulties because they cannot hear properly or having problems with speech because of a delayed progression in their ability to be able to hear and speak.

Members will realise, if they have visited it, that the Cora Barclay Centre deals with a number of children with Cochlear implants. It has really transformed hearing for young children with that piece of equipment. The piece inserted inside the head of the child remains there for life and does not have to be replaced. The outside microphone has to be replaced after about three years, often because of new technology, growth of the child or wear and tear. It introduces these children to a whole new world of hearing because of the technology now available. The company here in Australia is a world leader in providing that sort of technology. I was reading a report the other day where one of its American competitors has suffered a problem with some of its equipment, which has allowed Cochlear to be able to grab an even higher degree of the market share because of the unreliability of the American model of a similar implant. The cost of this is not small, but it is able to be retrieved via the federal government or private health funds. There is no cost to parents, and I can hear the government saying that the opposition just wants us to spend more money.

The fact is that this is one where no more money has to be spent apart from perhaps a $34 consultation fee, so to speak, to assess the child. The cost of the implants and the technology required to deliver better hearing to that child is able to be recouped from the federal government or from private

health insurance. So, it is not a matter of the opposition or the member for Newland saying, 'Here is something that I believe should be done—but, bad luck, it is going to cost a couple of million dollars, so you should fork out the $2 million or $3 million or whatever it costs.' This is at no cost to the government, apart from that initial screening.

In addition to that, the fact is that this is being done in other states, including Western Australia and New South Wales. Victoria is considering a universal program, and tests are offered in Tasmania on a limited criteria such that all babies born under 32 weeks or weighing less that 1 500 grams are tested. In the Northern Territory, a pilot was to start in June this year, and it is currently operating in the Australian Capital Territory and in Queensland. So, other governments and health authorities have recognised that this is a very beneficial program to undertake.

We undertake other health programs such as the immunisation of children to protect them from measles, mumps, chickenpox and all those sorts of things yet here is one that is critical to a child's well-being, to their learning, to the interaction that they have with their families, and absolutely critical to their development that we are not testing at the moment. As both the members for Newland and Heysen have said, a pilot has already been undertaken—part of that in the Gawler Health Service in my own electorate. I know, in speaking with the CEO of that service, that the outcome of this was very beneficial. The parents, in particular, were very pleased to have their children tested—and as a parent of a new child you look to see that all the fingers are there and that everything works. You hope that it all does, but to have that confirmed within the first couple of days would, I think, be of great benefit to parents because they then know categorically that their child has good hearing and that there are no problems or they know that there is a problem that needs to be attended to and, as a result of that, that can be done at the earliest possible time.

Again, I commend the member for Newland for this program. I think it would deliver huge benefits to South Australian children in the fact of being tested, and in the fact of identifying those 20 to 30 cases that are found each year at the earliest possible moment, so that that child has the best chance of getting it corrected, of having a Cochlear implant and of having a better interaction with their family.

Mrs GERAGHTY secured the adjournment of the debate.

METROPOLITAN COUNCIL EFFICIENCIES

The Hon. R.B. SUCH (Fisher): I seek leave to move my motion in an amended form, which I have circulated.

Leave granted.

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

That this house calls on the Local Government Association to—

(a) consider the desirability or otherwise of changing the number of metropolitan councils and their configuration, as well as the advantages and disadvantages of maintaining the status quo;

(b) make recommendations as to how councils can be more efficient and effective in the delivery of services both as individual councils and through cooperative endeavours;

(c) make recommendations about how changes, including to rates, can be implemented in accordance with equity principles; and consider ways to ameliorate upward pressure on rates and other charges.

The reason for this motion is not simply a reaction to recent media comment and discussion about council rates: it goes beyond the question of council rates. I am very pro local government. I have been a member of our local council, the City of Mitcham—and, if there is life after state politics, maybe I will go back to local government. I am very positive in regard to local government and the service rendered by the people within it. As the elected members often point out, they are not paid for the contribution they make.

The purpose of this motion is to do several things. I have had discussions with the President and the executive officer of the LGA, who are supportive of this motion, as is the Minister for Local Government, who has given me the courtesy of indicating that he is quite happy about this matter being presented in this format. What I am trying to do is encourage the 19 councils in the metropolitan area to look at whether or not that is the appropriate number (and I am not trying to pass judgment as to whether or not it is), and how their boundaries and linkages with other councils should be continued. Should it be the status quo? Should there be fewer councils and, if so, how many? That is part of the first element of this motion.

The second part is related to that but it goes beyond the metropolitan area, because I also want to engage country members of parliament with respect to this issue of how councils throughout the state can be more efficient and effective in the way in which they deliver services, either as individual councils or working in conjunction with other councils (I will come back to that point in a moment); also to look at the issue of how changes in the way in which the councils operate, including their rating practices and policies, can be implemented in a way that accords with fairness and with the equity principles that we all understand; and to look at ways in which they can reduce the upward pressure on council rates and other charges.

I want to focus for a moment on the metropolitan area. I do not know whether members realise, but some of the councils in the metropolitan area are much larger than government departments. The City of Charles Sturt has in excess of 500 staff and the City of Onkaparinga, likewise, has a number of that order. So, we are talking about organisations that are quite large. But what concerns me about the way in which they operate (and this is what that review would look at) is that it is my understanding that only six of them jointly tender for services and the purchase of items. I think there is an opportunity to save a lot of money if those 19 councils, for example—and also, indeed, country councils—were to work together to jointly tender for vehicles and other products and services. To take that point further, the City of Charles Sturt (and I am just using it as an example; this is not a criticism) has a computing centre which, I am told, is valued at $5 million and which does its computing—as one would expect.

What I hope arises from the LGA's taking a vigorous look at how councils operate is the question whether all the councils need to have their own computing centre is considered. What savings could be achieved if councils had a cooperative arrangement in regard to computing power and computing services? We can extend that through all the activities of council. I understand there is a bit of controversy in one of the northern metropolitan councils about the location of a works depot. I can nominate councils that have spent millions of dollars each on works depots only a few kilometres apart. Some of those things cannot be changed overnight but, surely, if the councils work together, they can have the benefit of what otherwise would be one council, simply by coordinating their efforts and working coopera-

tively together. In reality, in economic terms, we would have a de facto amalgamation without going down that path.

One can look at all the other aspects of councils. I acknowledge that progress is being made in relation to waste collection and recycling. At present, councils have different bins and practices. Where I live there is a totally different bin structure for collection of waste and recyclables from a few hundred metres away in a different council. All those sorts of practices add cost, which, ultimately, are reflected in the rates that councils have to charge. I think it is fair to say that in respect of rates people are often very critical and suggest that councils are charging a lot. If we look at, say, rubbish collection, I think we get good value in that alone. People should try to remove household rubbish every week to a dump for, say, $12 a week, which in some cases is the total rate contribution. I think people are getting a good deal, without taking into account libraries and all the other things that councils do. The weakness for many councils has been the focus on revenue rather than service provision. I think councils would acknowledge that they have to do more to tell people what they provide, rather than people focusing on what they collect.

I do not need to list all the functions of councils, but members can see the potential savings that could occur if we had a cooperative effort in the metropolitan area in terms of not only jointly tendering but also working together in a range of ways. I know one council does not provide an after-hours range of services. The council next door, which is smaller, does. We have all these variations which, with a bit of coordination and cooperation, could lead to significant benefits for ratepayers and residents. If we can get the metropolitan councils to work together as a coordinated entity, they can have much greater say and input in relation to issues such as public transport, road networks, planning and parking. I know the member for Playford has indicated his frustration with some aspects of the implementation of the significant trees legislation. I am aware that councils apply the rules quite differently. Some people would say, 'So they should. That is local government and we expect some variation.' We can get significant differences in the way in which councils approach matters, such as whether or not trees can be pruned or removed.

I am not saying we should have blanket uniformity in every aspect. If we took that approach we would not need councils at all. I think there is the opportunity for cooperation and resource sharing, and for councils themselves to have a greater say in macro decisions in the metropolitan area. In terms of the country areas—and I do not seek to speak in relation to that specifically, because my electorate is not in the rural area—but I suspect that there is also opportunity for cooperation, resource sharing and the like in country areas.

Many people within local government have suggested to me that they need to get additional sources of revenue. Some have even suggested that it is time that they got a share of GST. However, I cannot see that happening in the short term. I think there is enough work to be done in the immediate future, in terms of some of these cost saving opportunities, through cooperation, before we need to look at going beyond the rating approaches that are currently there for councils.

Many of us were invited to Charles Sturt council, where the council was able to show in relation to rates, for example, that it now has the capability of determining a rate variation in regard to equity and aspects like that down to a single property. The council has accessed ABS data, and it demonstrated to those MPs who came along that the council can be so sophisticated that it knows exactly in a particular street that household X warrants special consideration in regard to rates, as a result of some special equity factors. I do not imagine that all councils can do that; they may not all have the resources. I think that sharing some of that information—that skill base that is being developed—would also help reduce some of the angst that is generated in the media by people who simply look at the rates they pay without looking at the other side of the equation, which is the services they get. It is quite silly to just focus on what you pay without looking at what you get.

One would assume normally that the more you pay the more you get. I do not use our local library; I love libraries, but I use other things. I am quite happy for people to use the local library. I know that women use libraries more than do men, and that is fine. The council supports sporting clubs; they do a whole lot of things which people do not see. Public toilets are usually not at the forefront of people's mind unless nature is pressing them to think of a toilet, but the cost of those sorts of services is quite significant. Councils have to pick up these costs, but they do not often tell people. When people use a public convenience there is not usually a sign saying, 'This toilet is kindly provided by your local council; please enjoy.' These things are accepted and taken as a given, but they cost money, and councils provide them as part of their comprehensive range of services.

In summary, as I have said, I have discussed this matter with John Legoe and Wendy Campana from the Local Government Association. They see great merit in this resolution, and they are very interested in hearing from MPs. So, this is a chance for MPs to have a say about how things can be improved. Rather than limiting discussion to talkback, here is a positive way in which we can try to advance and improve the vital local government sector. It puts the measure in their hands to come up with a body that has some independent status. I think it is important that the recommendations they come up with are seen as credible and convincing and are based on fact and research. It will go a long way towards having a more enlightened debate about the role of local government, which, as I said at the start, I regard in a very positive way. I think this is a positive step in helping the whole community to understand the way in which local government operates and how we can all help to make it operate even more efficiently, both in the metropolitan area and in the country. I commend the motion to the house.

Mr HAMILTON-SMITH (Waite): I commend the honourable member for bringing this motion before the house. I will make a contribution today, and then I will consider the matter, in consultation with my colleagues, and decide how I will vote on it at a later point. However, I must say that I have some sympathy for the motion, particularly because it puts the matter to the Local Government Association to consider and to make recommendations, and I think that is sensible.

In the past, governments of all political persuasions have tried to browbeat local government into amalgamations and all sorts of other reforms with varying degrees of success. It makes sense to adopt a cooperative approach and look to the LGA itself to reform its structures and to make it more efficient, if that is appropriate. My view on local government has changed since I have been an MP. When I was in business, I was proposing numerous developments. I recall one in the Noarlunga-Onkaparinga council area and one in the Mitcham council area. I seemed to be running up against the

obstacle of government. Whenever you tried to do something in the way of a constructive development—in my case it was constructing childcare centres—you seemed to come up against hurdles at every corner.

It seemed to me that a very small and vocal group of people could get in the way of development and job creation. On one occasion, I appealed before one particular council when I was trying to build a childcare centre development in the area. I had advertised for workers and had received 247 written applications in response to my advertisement for childcare workers. I remember that, in appealing to the council to approve the development, I held up the 247 job applications. I said, 'Here are 247 reasons why this development should go ahead.' I regret to say that the particular council rejected the development application. As usual, it agreed with it in principle, but it did not like the driveway entry or exit; there were a lot of technical reasons why it could not be approved. We had to go to the environment court where I successfully defeated the council—the development went ahead as I had intended it. I got what I wanted $14 000 later. I had to take another council to court and, again, I defeated the council in the environment court, and the development went ahead as I had intended it. Again, it was $14 000 later; so, you win but you lose. You delay the creation of jobs and development.

It seemed to me that local government was nothing but an obstacle in front of development and progress. However, since I have been an MP, my eyes have been opened somewhat. Since I have been an MP, I have seen more thoroughly the role that local government performs. I am much better informed than I was when I was a businessman. I know that, in my case, I have great regard for my local council—the Mitcham council. I am sure that other members would agree with me that there are often constituent complaints and inquiries that are of a very nitty gritty local nature that you feel powerless to help them with. It is enormously beneficial to be able to direct them to the local council where a couple of ward councillors, and an entire structure, is there to deal with those very local street issues that the state government cannot get involved in.

Diffusing those sorts of contests is most difficult. I have endless regard for the way that councillors approach that task. I think that planning issues, in particular, are frustrating as are transport management issues. There is a whole range of issues that clearly perplex and confound local government, which prove its worth. You need sound, effective and competent local government to handle these issues. They are things that the state government cannot do. My opinion has changed from that of a businessman to that of an MP, and I see a role for the three tiers of government, particularly for local government.

The member's motion must be placed in context, which is to say that it is fine to talk about amalgamations and doing things more efficiently, but you have to look at the roles that local government has and the jobs it has been given. I suggest that local councils might respond by saying that, if the state and federal governments picked up the responsibility for all roads, local governments could reduce rates. If the state and federal governments picked up the responsibility for planning, local governments could cut costs. If they picked up the responsibility for rubbish collection and environmental management issues, local governments could cut costs and reduce itself by downsizing and amalgamating. It is a question of the jobs you are given and the apparatus and structures you need to carry out the jobs.

Local government probably has the view that there has been cost transferring, it has too much to do, and it really has to have the rates and needs to have the structures and the people to manage them. It is going to be hard for the LGA to make recommendations without touching on these issues of what the state government has to do and what the federal government has to do. We as state members of parliament will need to be involved in considering whether or not we should take on board greater responsibility for matters formerly managed by local government, as we have with the emergency services levy, for example.

What we did there was raise an emergency services levy and take on the emergency services organisation. All roads now lead to Rome, and we are standing in Rome in this chamber as we speak. We are responsible for the lot. We allowed, if you like, local government to make savings as a consequence of that transfer. If we are prepared to do that with roads, with planning, with rubbish and the environment and certain other issues, local government can make savings and we can rightly demand that it reduces rates and looks at amalgamation. We have to look at the whole picture. It involves local government, federal government and state government. I hope that in this country we do not go back to the situation we were in under the Whitlam government, where the federal government starts to throw money at local government and bypass state government.

There is a strong argument that one tier of government needs radical reform, and I think it most likely that it will be either state government or local government. If the federal government decides to get together with local government and cut out the states, then the state governments are going to struggle to survive, to be frank, and it questions the whole nature of our federation. Conversely, a very good argument could be constructed to say that Australia, technology and times have changed. A strong argument could be constructed that state governments are almost like local government. When local government and state government was created, there was not the transportation network we have now, we did not have television, radio or the structures we have today.

State government gets involved in a lot of nitty-gritty local issues, and an argument could be constructed that state government should take on more roles traditionally performed by local governments because the communications systems are there now, the road management systems are there now and the devices are there now for us to do that, and that we should haul on more of these responsibilities. Frankly, strategically that is probably the direction we need to go down: that state government needs to haul on more of the responsibility. Perhaps instead of the councils raising rates and doing those jobs, maybe the states need to raise those funds and we need to do the jobs. I will be very interested to hear the minister's contribution in due course.

There is an issue there strategically for state governments and local governments to consider how they go forward into the twenty-first century. We definitely need to retain a local apparatus to deal with these nitty-gritty issues, and we definitely need local councils in some form and elected members at local level. People want local representation. Whether they want local councils to have the powers they have at the moment is an interesting issue. The powers and the rates are inextricably intertwined. When I visited the UK, I was interested to see the model in the UK, where they do not have states as we know them and where councils run hospitals, schools and housing and all the devices of local government are quite different.

There is, strategically thinking, a prospect that ultimately Australia may go down that line, although I think our federation may predicate against it. I think it is a good motion, but I will reserve my right to consider it further before voting on it. I would be very interested to see the LGA's response and to receive its advice. The state does need to consider a way forward. It needs to be fair and it needs to recognise that the tasks you are given and rates you raise are inextricably linked. I commend the honourable member for bringing it to the house and I would like to see the government get involved in the debate and carry the issue forward.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I indicate support for this motion and am delighted to hear the response to it from the member for Waite. It is great to see that someone comes into this place and acknowledges that, as we ourselves participate in one of the three spheres of government, we grow to appreciate that our two partners, state and local, have collectively with us responsibility to service the same client. Irrespective of which one of us provides the service or collects the tax, it all comes out of the same pocket. We have a collective responsibility to see that we provide the most cost-effective service possible, that there is no duplication and to see that nothing falls between stools.

Equally, this motion does not in any way attempt to say anything other than the fact that local government is an independent sphere of government, accountable through a democratic process to the communities that elect them. In no way does this motion attempt to usurp that authority, and I would not support the motion if it did. However, this motion respectfully says to another sphere of government, 'We encourage you to have a look at some issues and, what's more, as individuals, we might like the opportunity to participate in it.'

As the mover of the motion, the member for Fisher, indicated, he has already had this discussion with the LGA, both at governance level with President of the LGA, John Legoe, and at an executive level with the Executive Officer of the Local Government Association, Wendy Campana. In a mature way, they have again said, 'Yes; we believe that it is appropriate, as part of a continuous improvement process, that we regularly look at issues about the way we do business.' I compliment the way they conducted their annual general meeting last week where, again, they were prepared, amongst themselves, to say, 'We have done some things well; there are some other things we could do better, and here are some challenges for us in the next 12 months.'

At that time I had the opportunity to acknowledge that we have the best state-local government relations agreement anywhere in Australia, and this is also acknowledged by the other states and the federal government, to the extent that minister Ian Campbell, who was obviously the local government minister just before the election—and I do not believe that we know today who the minister will be in the next government—said that he not only understood the state-local government relations agreement that we have in this state, but that he would like to explore whether or not he could also sign up to it. Then the three spheres of government could have an intergovernment relations agreement that clearly articulates what our collective responsibilities were to our common customer. I thought that was a great thing to happen.

I note that the member for Waite made some comments about taxation on the one hand, and service provision on the other. Yes; it is appropriate from time to time that different spheres of government discuss who provides a service and how it is funded. To some degree, the Hawker report tackled the issue of a fairer share for a responsible local government, and more work needs to be done on that. Yesterday, when the President of the LGA and I met with the Premier, we talked about the need to go back to the federal government and re-engage it in terms of the implementation of some significant recommendations from the Hawker report that have particular application to South Australia, because we have been unfairly treated now for many years, and even the Hawker report acknowledges that. The question now, of course, is how we move forward and redress some of that so that we are fairly getting some of the resources we need to provide the services.

The concept of subsidiarity says that you take a service as close as you can to the people who require it without losing critical mass. There are some services which you would wish to deliver, not necessarily at a state level or at an individual council level, but somewhere in between. From time to time, councils need to look at delegating to a body that contains a number of them. I acknowledge that over recent times local government has been doing that, sometimes on their own and sometimes with the support of state government. The two great examples are the way they are dealing with stormwater, the way we are dealing with our collective challenges in terms of stormwater and, equally, how we are dealing with issues about STEDS.

It is great to see that in a mature way we can sit down and ask how can we do this better without simply attacking each other in terms of, 'You should be doing it, and you should be paying for it.' Things have moved on, and we have a much more mature environment. Within that environment, it is appropriate that this parliament—not this government—say to local government that it would like local government to consider doing some of this stuff and that it would like to engage in that debate and to see what comes out of that.

We need to do some other things with local government in the next little while, such as work around election review issues ahead of the next state election, and I have indicated that in ministerial statements in recent months. As part of the continuous rate improvement process we have been working through with local government, there may be the need to make some changes to the Local Government Act. However, I add that that act, which was steered through this place by the then minister (now the member for Unley), is a particularly good act which has within it already the scope and the tools required to be flexible about the way in which local government raises the revenue it needs to provide the services.

Local government knows that it has two challenges: one is to convince its community that its vision is right, namely, where it is going in terms of all the things it must provide to its community (and we need an open consultation process for that); and the second is for local government to say to its community, 'This is the way we are going to gather that revenue from you. This is the way we are going to distribute that burden across you, the ratepayers.' The starting point is always the money local government needs. Of course, some people have the impression that the starting point is the valuation, but that is obviously a fundamental flaw and a misunderstanding of how local government works. Local government says to its community, 'This is where we intend to take you. Here is our strategic plan, our business plan and our financial plan.' That is the first thing it must sign off on, and, once it has done that, it can say that it is a property based tax and that the tools it has to raise that revenue involve the

valuation of properties, so that is where it collects that revenue.

Those tools need to be continued to be refined, and that has been particularly exposed over recent days, when very spiky valuations have caused some tension around distributing the raising of that revenue. I do not believe that the debate has been so much about the quantum of the revenue. I believe that communities understand and engage in the debate with their local councils about the things the councils should be doing and what is fair and reasonable in terms of the rates they need to collect, but there will always be debate about how we share that burden. Obviously, nobody wants the odium of collecting those taxes, and, although we want the services, we would prefer to pay as little as we can, or not to pay for them at all.

So, there will always be some challenges, but that is no different to those we face at a state level. We know that, moving forward, there are enormous pressures on the state budget, particularly in terms of health, child protection, mental health, education and law and order. We also ought to be sharing our vision with our partners, and we are doing so through the State Strategic Plan. Although that plan was originally written by the state government (and that is appropriate), we need to engage the other stakeholders who are part of its delivery, because it is not a state government strategic plan; it is a state strategic plan.

Later this month, the Premier, members of the Economic Development Board, the CEO of Oregon SHINE (an independent expert on regional development), minister Weatherill, I and others will be participating in a process whereby we will ask our partners how they fit into helping us deliver our vision for the state. It is great to see that we are engaging this independent sphere of government in an appropriate way and that it is engaging us so that, collectively, we can do what we have to, namely, provide the most cost-effective service possible to our shared customer. I am delighted to be able to support this resolution.

Mr BRINDAL (Unley): I listened with interest to the minister, as I always do. In a cordial way, he and I remain in many ways fundamentally opposed in respect of his ministry on a very strong philosophical difference, namely, that the minister absolutely and publicly is and purports to be the Minister for State/Local Government Relations, where I was styled as the Minister for Local Government. In that small variation, there is a world of difference. In fairness to the minister, he is zealous in his adherence to his concepts which he outlined to the house. I too would like to commend the member for Fisher, although I say to him that I will discuss with our party room the notion of some amendment, which would not suit the minister, but it will be for the house to look at this matter.

If there are some remaining issues for local government, I think that local government had those issues foisted upon it by the intervention of this house and by mistakes that were made by this place. I make no apology for saying that every administration, when it is maturing into a government, can make mistakes, and no less so the Liberal government. I was not the minister at the time, but the government coerced amalgamations from local government, and it did it with a forked stick: one fork was a board looking at amalgamations and having hearings all over the place; and the other was Jeff Kennett, sitting in Victoria, cracking the whip and doing whatever he wanted to local government.

Through those issues we proudly stood up and said, 'Well, we have voluntary amalgamations.' The truth is that we coerced the amalgamations, and some of them—and, I think, even local government very privately would admit this—are abysmal marriages. One can look at the boundaries of some of the now local government regions voluntarily formed. I will not name it in this house, but one council formed because the two CEOs felt that it was in their own best interests to form. It suited the CEOs, but I doubt that it suits the ratepayers and it creates the most bizarre council. We have no beach council in South Australia. Yes, it was 'beach', for the benefit of *Hansard*, not a word that sounds like beach!

The Hon. I.F. Evans: Like 'bleach'.

Mr BRINDAL: Like 'bleach', as the honourable member says, the point being that the minister, me, any group in this house or any group of disinterested LGA members could get together and say, 'How can we better divide this state for the benefit of local governance', which I absolutely and strongly support (as do all other members) as being totally essential. Anyone who comes in here or goes anywhere and argues that three levels of government are not absolutely essential in a democracy such as Australia, I think, has got rocks in their head.

Local government performs functions that are indisputably and best performed at a local level by local people with local understanding. This government can best perform those legitimate functions that must be aggregated to a regional level; and there is no dispute that we need the primacy of a federal government to do those things that reflect the national interest. What is in dispute, and should be hotly in dispute, as the member for Fisher points out, is the nature and explainability of local government boundaries. That should be in dispute and, equally, I say to the minister, in fairness to local government, so should ours. State government boundaries should be looked at—

The Hon. R.J. McEwen interjecting:

Mr BRINDAL: Yes—and reinvestigated. I will show the minister something I once issued and which basically said that the South-East, Victoria and Tasmania should be put in a climatological regional association and that we should reconfigure the states, because state level would then make more sense than it currently does by lines drawn by explorers or politicians who wanted to give away territory and add territory. Notwithstanding that, I therefore think that the member for Fisher, in so far as he is saying 'Let us look at local government boundaries and see whether we can get them better,' is to be commended.

If I were having a blueprint, I tend to think that I would at least put forward an argument to say that there should be a city council extending from Portrush Road to South Road and from Cross Road out to Regency Road. There should then probably be an inner northern council, an inner southern council and a western or seaside council, and then go from there. I think that would make a good combination (the member for Enfield shakes his head), and I welcome that and so would the minister. I am not saying that I know the answers. I am just saying that the current answers which we came up with as a Liberal government were not correct and, in so far as the member for Fisher highlights that, he is to be commended.

Incidentally, while we are on the subject, I do not like to criticise a predecessor but I think that, in the interests of moving a debate onwards, it is sometimes necessary to look at things realistically. Our idea of putting a freeze on rates for a number of years was simple stupidity. To tell council, 'You

cannot raise your rates, but at a given date we will take off the freeze and you can then raise your rates' resulted, I think, in a greater rate hike than we would have had if we had tried to have this reasonable argument in the parliament at the time. So, I will never come into this house and vote for us to impose our will on local government but, as I said at the start, I think it is the role of the Minister for Local Government (and this is the difference between the current minister and me) to come in here and provide leadership; because, at the end of the day, local government, unfortunately, is a creature of this parliament. It is constituted by act of this parliament and—

Mrs Redmond interjecting:

Mr BRINDAL: I say to the member for Heysen that it is unfortunate in that they wanted recognition in the referendum—as you know, it went to the Australian people and the Australian people said no. So, while we acknowledge them as a legitimate tier of government, we nevertheless are responsible for their creation and therefore have some role to play on behalf of the people of this state in their ongoing existence.

The member for Fisher will know that one thing we never investigated in amalgamations was the amalgamation not of representation but of service provision. The model that exists in the UK is that small councils, medium councils and big councils coexist side by side. Everybody is happy with their representation, and the services for every council are provided by a single providing authority with only one CEO. Think of that—only one CEO in the metropolitan area earning more than the Premier. We would save a fortune. It would not be very popular with CEOs. And services would be provided at a level that was conducive. I think, therefore, that the support of the minister for the member for Fisher's proposition is exciting. Through you, Mr Speaker, what I ask the member for Fisher to talk to the party room about is whether the LGA is an appropriate vehicle. I have every possible respect for Wendy Campana, the professional officers and those who hold office over there but, unfortunately, in my experience, the LGA—

The Hon. J.W. Weatherill: Are you attacking the LGA?

Mr BRINDAL: I am. Unfortunately, in my experience, the LGA is an amalgam of its members and therefore it suffers all the strengths and all the inherent weaknesses of being a professional association. Sometimes it is not appropriate that Caesar judges Caesar. Sometimes it is appropriate that somebody else looks on and works with the sector to come up with a better answer. I think the minister will acknowledge this. This parliament, in passing new legislation for local government, did just that. It was not just me as minister: the whole parliament worked with the local government sector and we came up with a better solution. I acknowledge to the minister that it is not perfect and I will support any good changes he brings in that improve a bill, but after 72 years even getting a new bill in was a fair feat. It does need—

The Hon. J.W. Weatherill: Your bill enshrined the role of the LGA.

Mr BRINDAL: Of course it did, but I say through you, Mr Speaker, to the minister, that I do not deny the LGA its legitimate right but I wonder in the context of the member for Fisher's motion whether the LGA is the appropriate body to conduct this investigation. I put to the member for Fisher that if I seek an amendment later it is only to improve what the member for Fisher wants to do.

The Hon. R.B. Such: They have no credibility if they don't do it properly.

Mr BRINDAL: Yes, I accept that, and this will be part of the debate. I think what the member for Fisher is doing is excellent. I commend him, I commend the minister for his response, and I hope that we can come to a very good solution with this resolution.

Mr CAICA (Colton): I rise to support this motion and, indeed, like other members before me, congratulate the member for Fisher for bringing this motion to the house. Like him, I have an active interest, as indeed do all members of this house, in the councils in which our electorates sit. I think it is true to say that often it is the local councils within our electorates that can create some of our biggest problems and, indeed, on other occasions, depending on the working relationship with the council, it can result in some personal and very satisfying victories from a local member's perspective. That is often dependent upon the issue and, indeed the constructive working relationship, if there is one, with your specific council. I have a wonderful and diverse electorate, as I keep telling everyone in this house.

Throughout this brief presentation I will talk a little about rates. Yesterday, I spoke about hoon driving and that being one of the issues that has been brought to my attention by constituents as much as any other. The other, of course, is local councils and issues associated with them. As I said, I will talk briefly about rates as we go along.

My electorate, like others, has changed significantly over many years, particularly the coastal strip from Henley Beach through to Grange, starting at the outlet at West Beach. Of course, the cost of purchasing houses and property values have increased significantly. This has had a significant impact on the rates that the people living in those houses are required to pay and, indeed, it has had an effect as we move further back from the beach. The property values at Seaton, Findon, Kidman Park, Fulham Gardens and other areas have increased in similar percentage terms, if not as much. As I have said, that has had an impact on council rates.

It was within the first six months of my arriving in this place that I raised the issue of the impact that increased property values was having on the council rates of my constituents. I have used the example many times of the 70-year old woman who has lived for 40 years on The Esplanade and who bought that house for £4 000. Today her house is worth $1.4 million, $1.2 million or $700 000, and the fact is that she is asset rich and income poor.

I put a suggestion before the house about capping the property value of houses until such time as that house was resold. That is, we would sunset the property values of houses until a house was sold. My argument would be, if you can afford to buy a house worth $1.4 million on the coast or, indeed, a house worth $400 000 at Kidman Park, then obviously you can afford to pay the rates that would be accruable on a house of that property value, which is significantly different from the poor lady who has lived in her house for 40 years and who paid £4 000 for it and it is now worth $1.4 million.

Of course, we would have to look at what services councils are responsible for delivering. It may well be that under such a proposal there would be a CPI interest on council rates or, indeed, a collection for special projects that were being undertaken by that council, whether that be stormwater, environmental management or a host of other issues that were transparent, accountable and properly communicated to the ratepayers.

That is one of the issues on which I would like to touch as well. I wrote a letter, as I presume many members of the house did, to Mr Legoe from the Local Government Association when he was seeking information and feedback from local members in respect of their interactions on issues that concern not just rating policy but other issues of local council. I wrote to him and suggested that there needs to be equity in respect of rating—and we all agree with that—and the role and responsibilities of councils need to be communicated to the ratepayers so that there is a better understanding, because from my perspective it is clear that ratepayers do not necessarily understand the role and the duties that councils undertake and for what they are responsible. Local councils appear to have a problem with communicating that role.

In addition, councils need to be open and transparent not only about that role but also about the amount of money that they are required to collect to fulfil their responsibilities. Recently a redevelopment was undertaken at Henley Square. They put concrete pattern pave on the median strip in the middle of the square between the Ramsgate Hotel and the square. It looked quite fine, but it was pulled up. It has now been replaced with clay pavers because it did not suit the ambience of what it seemed the council wanted for that particular area.

I saw a waste of money being incurred by the council at the expense of the ratepayers for a project that was not, obviously, properly planned. It is a bit much for my constituents to cop when their rates are going up by 7, 8, 9 and up to 12 per cent per annum and to see such waste. So, as with all levels of government, the councils need to be transparent and accountable and able to communicate with the people whom they represent in such a way that their rate payers understand fully what is going on.

So, I spoke briefly about the proposal. It never got any air time, but I will pursue it. Indeed, I have spoken with the minister about the proposal of capping rates, changing the property values at the time of sale of that particular house, and linking it to CPI and other initiatives. He seemed to be interested at least in hearing a little bit further about that proposal, and I intend to take that up with him. I am particularly interested with the aspect of this motion that implies a proper use of council resources so that those resources can be used across council boundaries. It is clear that there is a lot of duplication of services that are provided and, indeed, the resources that are required to deliver those services across council boundaries. It seems that it would be a much more effective use of those resources if they were, if not exchangeable, used in a coordinated fashion to the benefit of councils, no matter what side of the boundary those resources are in or specifically owned by.

In regard to amalgamations, there are those, particularly in my electorate, who say that the amalgamations did not work, and it does not matter whether you talk to people who were formerly under the Henley and Grange council, because they say, 'We were better off then,' or people who lived in the former Woodville council, who would suggest that they were better off then. I am sure I would be able to find people in the former Hindmarsh council who would say the same thing.

I am not suggesting that the amalgamations have not worked. There are also those who are telling me that they have. Well, maybe there is the further move towards amalgamating councils if indeed that is the way to go—and I do not know whether it is. I know that there are in my electorate people who would like to revert to the councils that they had in the past.

So, this promotes discussion. I am a little concerned about whether or not the Local Government Association will come up with anything constructive. I think it is the responsibility of this house to assist them subsequently if, indeed, they cannot come up with the answers to the problems that exist. Councils should become more open, more transparent and more efficient in the manner by which they deliver their services, and ought to be able to communicate their role to their ratepayers much more effectively than they do. I commend this motion to the house.

Mrs REDMOND (Heysen): It is my pleasure to support this motion also. I was interested to hear the member for Colton say that many people in his electorate would gladly go back to the previous regime of local government before the amalgamation. Certainly, it is something that generated a huge response in my electorate when I suggested that the Adelaide Hills Council, which I think was the only set where we amalgamated four separate councils into one and, in my view, seven years on, it still has not worked. We need to divide those back into two so that they work, because quite clearly the system is not working. Every time we have to hold a meeting, we hold one at Gumeracha and one at the other end of the electorate down at Stirling, or somewhere like that.

The idea behind amalgamations I think was sound. We had in excess of 120 councils in this state when I was involved in local government more than 20 years ago, and perhaps that was too many. However, I think we should have looked at the idea of sharing resources rather than simply saying, 'Well, amalgamation is going to fix it all and bigger is better,' because I remember when I raised this issue of deamalgamation, I said to the Mayor of the Adelaide Hills Council, 'You tell me one thing that is better by our having amalgamated,' and his response was that they were now better at risk management. That was the big improvement in life in the amalgamation of four councils, so that people felt disfranchised and isolated from their local council.

The councillors themselves do not have a thorough understanding of the whole of the area because the Adelaide Hills Council is a massive area. They have now moved the head office of the Adelaide Hills council out to Woodside, when in fact the population centre and its highest density is around the Stirling-Aldgate-Bridgewater-Crafers neck of the woods. We now have to travel to Woodside to see people or to have officers of the council come over to Stirling specifically to see people who wish to deal with the council. Furthermore, local government generally and the state government suggested that there would be massive reductions in rates.

One ratepayer said that there would be a 12 per cent reduction in rates that would be consequential upon all benefits that would flow from being able to share the resources and the amalgamation. My rates have trebled since amalgamation, and I am sure there are any number of people in the area whose rates have done likewise. There was to be a freeze on rates for the first three years after the amalgamation took place, but that did not occur. I would put that aside if councils were working as efficiently as they might. I am happy to see the wording of the motion of the member for Fisher because it does not suggest that it is absolutely necessary to amalgamate, deamalgamate or keep councils the same. It simply says that local government should have an honest look at itself.

The member for Unley stated that it was necessary for local government to do a proper job on assessing these issues, otherwise they will simply not have any validity and will lose a lot of respect in the community. It is entirely appropriate for us to look at it. It is now seven years since council amalgamations occurred and, whilst in some areas, as mentioned by the member for Colton, councils have deliberately set up works depots within close proximity to each other, at a significant cost for each council, in other areas, such as the Adelaide Hills, we have a situation where, if you need a grader at Gumeracha it takes a day to get it there because they are stored at the Mount Lofty depot. There is not a lot of sense in arguing there should be better sharing of resources. Clearly there are many areas of resources that could be shared.

The main area that councils need to look at, certainly from the perspective of a hills representative, is planning issues. It has long been the case that the hills face zone is dealt with separately by a number of different councils, and one of the problems is that there is no consistency about the way planning decisions are made as you move north through the hills face zone from down on the Fleurieu up to the northern hills. It seems that we need some consistency of approach in terms of planning.

It makes no sense to me that on one side of a council divide you will be able to do certain things and on the other side you will not be able to do certain things. In particular, the divide between the Mount Barker Council and the Adelaide Hills Council springs to mind because the Mount Barker Council has taken the view that it is trying to strategically plan for its future for the next 20 years and is looking at what its population is doing, what industry it might need, where it might put more residences, industry or commercial development, what impact more population will have on the area, what it will mean in terms of the services the council needs to provide, and so on. They are genuinely spending a lot of time and effort trying to reach a situation where Mount Barker is a stable but viable community.

At the moment something like 40 per cent of people live and stay in the area to work and 60 per cent use it as a dormitory suburb and come to the city. They want to reverse that and get 60 per cent staying locally, which will make it a sustainable area in itself and almost be a little satellite city, albeit close to Adelaide. On the other hand, I have known councillors on the previous Stirling council and the subsequent Adelaide Hills Council whose attitude to development is: I will oppose all development, whatever it is, even it is to put a house on a residential block, because I am opposed to all development—now that I have moved into the hills this is sacred land and I am not going to let anyone move in and build here. It is a dilemma, a difficulty, that councils have to face. I have great faith in the local government process as it is extremely democratic.

In fact, I think it was the Attorney-General who said to me that trying to get something done in this place is like trying to turn the Queen Mary (and that is about how it is), whereas in local government if you put a good argument your fellow councillors would actually listen to that argument and be persuaded by it, and make a decision instantly to go along with it; you could achieve things relatively quickly because it was a profoundly democratic process. What is more, there was no animosity and—one of the great strengths, I believe, of local government in South Australia—it was not party political. It was simply people trying to do the best thing for their communities.

Ms Rankine: It's not party political? You have to be kidding!

Mrs REDMOND: One of the members interjects that I have to be kidding saying that it is not party political. When I was on council in the Hills there were numerous councillors there during that period, and they were not there for any political purpose. They were not overtly members of any political party and, as I said, they were making judgments in the best interests of their community.

I am more than happy that we recommend that the Local Government Association consider the desirability or otherwise of changing the number of metropolitan councils and their configuration because it seems to me that the amalgamations that have occurred so far have not necessarily got it right. Seven years is an appropriate time for us to look at whether it is working, and make some decisions about whether the councils should stay as they are, or become bigger or smaller, or change boundaries.

I note that the second element of the motion is to make recommendations as to how councils can be more efficient and effective in the delivery of services, and it mentions the use of cooperative endeavours. I think that is right—I have always favoured the idea that rather than having a grader, for instance, sitting unused for some part of a day in one area it would be appropriate for councils to share the cost and the maintenance and use the grader for as many days of the week as possible.

The third element of the motion is to make recommendations about how changes, including to rates, can be implemented in accordance with equity principles, and to consider ways to ameliorate the upward pressure on rates and other charges. That has become a very significant issue in my area. I have a large number of people who have been in the area for 30 and 40 or more years, and they face the difficulty that as their property value increases (and they have increased significantly in my area) the rates go up. I have no difficulty with the idea that councils do need rates and that they do need to increase them—their costs are going up—but when it gets to the point where you have a lot pensioners and self-funded retirees struggling to stay in their homes then we need to look at how to address it.

I actually paid to attend the Local Government Association conference last week, and a number of councillors there talked to me not only about the postponement of rates—which, of course, was discussed on the radio this morning—but also about recognising how long people had lived in the community in terms of limiting their rates and increasing the concessions that are made available, because most people who have lived in an area for 30 or 40 years would obviously have made a significant contribution to their communities over that time.

Mrs GERAGHTY (Torrens): I move:

That the debate be adjourned.

The house divided on the motion:

AYES (25)

Atkinson, M. J.	Bedford, F. E.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Geraghty, R. K. (teller)
Gunn, G. M.	Hill, J. D.
Key, S. W.	Maywald, K. A.
McEwen, R. J.	Meier, E. J.
O'Brien, M. F.	Penfold, E. M.

AYES (cont.)

Rankine, J. M.	Rau, J. R.
Redmond, I. M.	Snelling, J. J.
Stevens, L.	Such, R. B.
Thompson, M. G.	Venning, I. H.
Weatherill, J. W.	

NOES (5)

Foley, K. O.	Hanna, K.
Koutsantonis, T.	Williams, M. R. (teller)
Wright, M. J.	

PAIR(S)

Breuer, L. R.	Kerin, R. G.
Rann, M. D.	Brokenshire, R. L.
White, P. L.	McFetridge, D.

Majority of 20 for the ayes.

Motion thus carried.

PARLIAMENTARY PRACTICES AND PROCEDURES

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

That the members of this house take prompt action to—

(a) inquire into the interim report of the Select Committee on Parliamentary Procedures and Practices, and subsequent submissions to the Standing Orders Committee;

(b) consider ways to improve the operation of estimates committees;

(c) consider creating a special committee process and practice which would enable bills to be processed more efficiently and expeditiously; and

(d) examine relevant changes to parliamentary procedures and practices in other relevant jurisdictions.

This is a matter in which I have been interested and about which I have been concerned for some time, as have other members. I am seeking to expedite this house through its various components to look at how we can improve the operation of this house. Members are well aware that there has been a select committee and that submissions have been made thereto. Members have made suggestions about how to improve the operation of this house, and I want to see our moving expeditiously to bring about justifiable reform; not reform for the sake of it, but reform which will help us to serve the people of South Australia more efficiently and effectively. I believe that this measure, when acted upon, will do exactly that.

Often we are criticised by the public because we have late night sittings and other unusual practices. Often it is put that we do not have family-friendly operations here. They are part of this issue. I think we can do things in a far more efficient and effective way.

Debate adjourned.

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

PAPERS TABLED

The following papers were laid on the table:

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

Upper South East Dryland Salinity and Flood Management—Report 2003-04

By the Minister for Tourism (Hon. J.D. Lomax-Smith)—

2007 World Police and Fire Corporation—Report October 2003-30 June 2004.

HOSPITALS, RIVERLAND

A petition signed by 1,972 residents of Waikerie and surrounding area, requesting the house to urge the government to maintain obstetric surgical and other services currently available in Riverland hospitals and that these services not be restricted to one Riverland regional hospital as proposed by Professor Carol Gaston, was presented by the Hon. K.A. Maywald.

Petition received.

CRIME PREVENTION FUNDING

A petition signed by 1,495 residents of South Australia requesting the house to urge the government to reinstate crime prevention funding to local councils and locate a 24 hour police station in a prominent position in Moseley Square, Glenelg, was presented by Dr McFetridge.

Petition received.

WATER RESOURCES

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: Today I have announced that the government is taking decisive action to ensure the future sustainability of water resources in the Western Mount Lofty Ranges—from Gawler to Cape Jervis and from Middleton to Maslin Beach in my own electorate, covering parts of the Adelaide Hills and the Fleurieu Peninsula. The Ranges are a significant economic, social and environmental region for South Australia. In particular, the water resources of the Mount Lofty Ranges support approximately $440 million in agricultural production, including more than $100 million from irrigated agriculture alone; 60 per cent of Adelaide's drinking water supply, on average; more than two-thirds of the state's population; important environmental assets such as the threatened Fleurieu Peninsula swamps; 10 urban water supply reservoirs; and almost 12 000 farm dams and more than 6 000 wells.

The importance of the region and the pressure on its natural resources, particularly water, have been recognised in a number of significant studies since 1962. Most recently, Thinker in Residence, Professor Peter Cullen, today released his report, which I now table. This report sounds a warning bell, highlighting, among other things, the need to protect the water resources of the Mount Lofty Ranges. Professor Cullen says:

> There are significant risks to water supply unless the catchments are managed better. It would be imprudent of South Australia not to protect the Hills catchment.

That is why today I have issued a notice of intention to prescribe the water resources of the Western Mount Lofty Ranges. This begins a period of consultation on the proposal for long-term management of these vital resources. The consultation process will include a series of public meetings throughout the region during November.

I have also invited relevant members to attend briefings, and have arranged for information to be provided to those members today. In the meantime, existing users can continue to use water at present levels. This will provide certainty for these water users while the long-term management needs are determined. If we move to prescription, all stakeholders will

have the opportunity to contribute to water allocation planning which determines how available resources will be used.

Mr Brokenshire interjecting:

The Hon. J.D. HILL: The member for Mawson is saying that this is a different process to the other side: it is not. It is exactly the same process. A temporary moratorium applies to the new irrigation, commercial and industrial water use in the region. A detailed assessment of water use will be conducted during the temporary moratorium. Water using developments that were initiated prior to the introduction of this temporary moratorium but are not yet operating may be authorised under certain circumstances. Mains water, home rainwater tanks and water for stock and domestic use are not affected. Honourable members will be aware that most of our other significant water resources such as those in the South-East and the River Murray are formally managed. In these areas prescription has provided primary producers and other water users security of access to water while ensuring water is available for environmental needs. Sustainable water management is a central strategy for rescuing the Ranges. It is essential to build the foundations for future prosperity and economic growth for the region and the state while sustaining healthy environments.

QUESTION TIME

PUBLIC SERVICE, SALARIES

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Premier. What steps has the Premier taken to ensure that his ministers across all portfolios honour the government's election promise to cut the number of public servants earning over $100 000 a year by 50 from the levels of 2002? In February 2002 the Premier and Deputy Premier committed to slashing the number of public servants earning over $100 000 by 50. The Premier in opposition stated, 'We'd rather see that money go into schools and hospitals rather than. . . these fat cat public servants doubling in number.' According to the Auditor-General's Report, the number of Labor public servants or 'fat cats', as the Premier and Treasurer choose to call them, earning over $100 000 a year has grown by approximately 70 per cent since Labor came to power. This equates to over 400 additional public servants who are on $100 000-plus—an increase which is seven times the rate under the Liberal government.

The Hon. K.O. FOLEY (Deputy Premier): To quote a former minister, I am delighted to answer this question. Fancy the Liberal Party making an issue of budget cuts when it would not have had a budget cut for a very long time. I am happy to reannounce the extent to which we are prepared to make savings. The issue of $100 000 salaries is an issue, to a large part, of bracket creep—people going over $100 000. One of the biggest single jumps in salary to $100 000 occurred, I am advised, when the base salary of 69 members of parliament went from $96 800 on 1 July 2003 to $100 760. Members opposite, as on this side—as all of us did with base salary—went from being under $100 000 through natural wage increases to $100 000.

The Hon. R.G. KERIN: On a point of order, sir, this is extremely interesting, but the question was about what steps the government has taken about public servants on over $100 000, and reducing the numbers. I just thought I had to remind you of that.

The Hon. K.O. FOLEY: The Leader of the Opposition is a bit sensitive. He wants to concentrate on public servants earning more than $100 000 but he does not want me to mention that his base salary went from under $100 000. I am not complaining about it—

The Hon. DEAN BROWN: On a point of order, the Deputy Premier is in breach of standing order 98 because he is now debating this and particularly because members of parliament are not included in the Leader of the Opposition's figures.

The Hon. K.O. FOLEY: We can reduce the number by 40 or 50 if members opposite want to drop their salaries.

The SPEAKER: Order! When the chair is calling for order, other honourable members ought not to talk the chair down and, whilst the chair keeps talking, all honourable members are doing by talking themselves is showing that they neither respect the institution to which they have been elected nor the person from amongst their ranks whom they have put in the chair. Since it has become the subject of adverse comment when I raise my voice to be above those of other honourable members, I will simply talk until I have the quiet of the house, as I have at this moment but not when I first rose to my feet. Those members who were talking at that time need to remember that on the next occasion I will simply name them.

In this instance, the question is specific and, whilst I understand the desire of the Deputy Premier and other members to debate the matter, the solution to that problem is in their hands. Question time is not about debate, it is about making inquiry and obtaining information: on the one hand, the inquiry from an honourable member and, on the other hand, the information being provided by a minister, and it ought to be done in a dignified manner, which would make all South Australians feel proud of those from amongst their ranks they have elected to this place to represent them; that is, myself and other honourable members. So far today in question time, we have got off to an appalling start.

Let us come back to what question time is about as we have defined it in our standing orders, and set an example which the rest of the community would expect of us.

The Hon. K.O. FOLEY: Thank you, sir. I appreciate your wise counsel and will conduct myself with absolute dignity, as I always do. Well, maybe. Sometimes. The government, when coming to office, as you would well recall, sir, made savings in our first budget over four years of some $960 million, and in the second budget many hundreds of millions more over the forward estimates period, from memory some $400 or $500 million. But we have not stopped there. We have introduced some of the most significant reforms to public sector management in this state. We have ended tenure for executives, new executives, at the executive level of government. And we have gone further than that.

We have said that those executives who wish to seek promotion at executive level must also waive their right to return to a substantive position within the administrative ranks of government. So, we are making the executive level of government more flexible, more accountable and more responsive to good government policy. The Premier has announced that we are also reducing the period of contract renewals for CEOs. We will offer up to five years—

Members interjecting:

The Hon. K.O. FOLEY: Yes. If they are not performing, we will sack them; absolutely. There is nothing wrong with that. If a CEO does not perform in this government, they will be sacked. I do not think that is a bad thing at all.

Members interjecting:

The Hon. K.O. FOLEY: Sir, I am trying to conduct myself with dignity—and I was enjoying it for a brief period.

The SPEAKER: There is an inferred request for the Deputy Premier for the protection from the inanities coming from elsewhere in the chamber. The Deputy Premier has the call.

The Hon. K.O. FOLEY: Thank you sir. I was enjoying a far more dignified approach to question time; I think I could get used to this. We will offer up to five years for the appointment of a new CEO, because you often have to recruit somebody from interstate or another profession. You should be able to offer up to five years but, for the renewal of that, not an another automatic five years, as used to happen under the last government. We are giving three years, so this is consistent. I can—

The Hon. R.G. KERIN: I rise on a point of order in a dignified fashion. The question was about the number of public servants. The Deputy Premier is referring to the way the government is handling a set number. The question is about what the government is doing to reduce the number.

The Hon. K.O. FOLEY: I take note of the point of order made by the leader of the opposition, and I am humbled by the fact that, perhaps, I was not directly angering his question. Suffice to say that we have significantly cut the number of public servants in this state; we have significantly cut the amount of government outlay; and we have got rid of tenure at an executive level where we can. This government is reforming, reforming, reforming. Indeed, the Premier himself has established the Public Sector Reform Unit. We have downsized the Office for the Commission for Public Employment, but one thing that I cannot control—and to be honest I would not want to—is when fair wage movements are negotiated and occur. If a lawyer in the Crown Solicitor's office earning $95 000 earns an appropriate wage increase and then that officer goes over $100 000—just like happened to members opposite and on this side when parliamentary salaries went from sub-$100 000 to tick over $100 000—we allow that to occur. I do not think that is a bad thing. I have enjoyed the opportunity to provide the house with the details which I just have, but in a calmer, more dignified and somewhat more enjoyable way. We might try this a little later.

The SPEAKER: I am sure we will.

MOTOR VEHICLE FIRE, GLENELG NORTH

Mr CAICA (Colton): My question is to the Minister for Emergency Services: can he provide the house with information on the circumstances of a motor vehicle fire in the early hours of yesterday morning at Glenelg North?

The Hon. P.F. CONLON (Minister for Emergency Services): I thank the member for his question; I know that, as a former fire fighter, he takes a keen interest in these matters. At about 2.30 in the morning on 13 October at Camden Park a crew responded to a call for a car fire at James Melrose Road, Glenelg North. Regrettably, upon arriving at the fire, the crew discovered a person trapped in the car. The crew from Camden Park followed all proper procedures, called for a back-up pump and a rescue tender and promptly extinguished the fire. Regrettably, the person driving the car died the next morning. It is a tragedy, and our thoughts go out to the family. Our thoughts also go out to the fire fighters who attended this, because it was a ghastly event; one which they face far too often.

However, I was aghast this morning to find that the member for Morphett had decided to use this event, this unnecessary tragedy, but one which could not have been prevented by any human agency, to get his name in the media. The member for Morphett put out a media release this morning claiming that there was not access to water for this fire, raising the ghastly spectre that, perhaps, this death was unnecessary. I am aghast that that is the politics that the opposition has now stooped to, but I am further aghast that this morning I had the chief officer of the fire service ring the member for Morphett and tell him that he had it wrong. He did that at 10 or 10.30 this morning, and at midday the story was still running. The member for Morphett owes the fire service an apology, and he owes this house an apology. The Leader of the Opposition must make a very clear decision about whether this is the way the opposition is going to do politics in this state.

Let me tell the house what the member for Morphett said and what the circumstances actually were. I have been asked to tell members what happened at the fire—

The SPEAKER: Order! Notwithstanding the question, what happened at the fire is agreed. However, to go to anything beyond that where it reflects on what any one or more members of this place have done, may do or ought to do, in the opinion of the minister, can be canvassed—

Members interjecting:

The SPEAKER: Order! —not in question time, but at any other time appropriate under standing orders by substantive motion.

The Hon. P.F. CONLON: Thank you, sir. I will say that the fire service extinguished the fire promptly and effectively. It did not have trouble finding water. It was not a case that failure to find a fire hydrant in any way impeded the performance of the fire service. It was a tragedy. It is very unfortunate that, because stories are now running in the media, this family may think that something occurred unnecessarily. It is completely untrue and, whatever else one says, it is a bloody disgrace.

Members interjecting:

The SPEAKER: Order! The member for Unley.

Mr BRINDAL: Mr Speaker, in my opinion you made a very correct ruling (you often do) but, as a matter of procedure and in view of natural justice, the minister concerned made certain accusations before you could make your ruling and, at present, they are simply unchallenged. I ask you, sir, whether there is any way in which the member for Morphett can seek any redress as he stands half accused, and that is worse than the matter being canvassed.

Members interjecting:

The SPEAKER: Order! The member for Unley knows that if any honourable member feels as though the position about which remarks relating to them is different from the reality and therefore a misrepresentation, that position can be the subject of a personal explanation to rectify the mistaken impression which the house has, so long as that personal explanation is not undertaken so as to interrupt the matter before the house at the time.

PUBLIC SERVICE, SALARIES

The Hon. R.G. KERIN (Leader of the Opposition): Will the Attorney-General tell the house how many employees earning over $100 000 were employed within his department in 2003-04, and is this number in line with the government's promise to cut executive numbers? The

Auditor-General was forced to revisit his report on the Attorney-General's Department due to 'the risk that departmental officers may deliberately present misleading information and process transactions, which is not in compliance with the requirements'. As a result, there is also a delay in revealing the amount of people within the Attorney-General's Department earning over $100 000 a year. Last year, despite the government's promise, the number of people earning over $100 000 in the Attorney-General's Department increased by 63 per cent—from 76 to 124 people in one year.

The Hon. M.J. ATKINSON (Attorney-General): We traversed this territory in the previous session. I will get the figures for the leader and I will share them with the house. However, we had a spat over this previously. The leader claimed that there was this vast increase in 'fat cats' in my department, and he equated fat cats with people earning $100 000 or more. The implication of the leader's question, when it was previously asked, was that these are executives. I was informed by the department that there was no increase in executives; but, yes—

An honourable member interjecting:

The Hon. M.J. ATKINSON: That is right, there was an increase—

Members interjecting:

The Hon. M.J. ATKINSON: That is right. That is correct, and I did because there was an increase in the number of employees earning $100 000 or more. However, there was no increase in the number of executives. That is because the people who were earning $100 000 or more for the first time were indians, not chiefs. They were lawyers working in the Crown Solicitor's Office and in the Office of the Director of Public Prosecutions. The people who were earning $100 000 for the first time were the people who prosecuted Bunting and Wagner and put them in gaol, in the 'Bodies in the barrel' case and did this state outstanding service. People like that were earning $100 000 for the first time because the operation of CPI had pushed their salary to that level. The whole implication of the leader's question is that these people are fat cats and not worthy of their hire. Well, in this case the labourer is worthy of his hire.

The Hon. R.G. KERIN: I rise on a point of order. I make clear at the only time I used 'fat cats' that that term has been coined for these people by the Treasurer and the Premier, and I do not agree with it.

The SPEAKER: Order! There is no point of order but there may have been a point worthy of a personal explanation in the opinion of the member if the leader felt offended in that fashion. I think that the Attorney-General has provided an ample answer to the inquiry made by the leader.

JP MORGAN INVESTOR SERVICES

Ms CICCARELLO (Norwood): My question is to the Minister Assisting the Premier in Economic Development. Will the minister advise the house of recent developments at JP Morgan Investor Services?

The Hon. K.O. FOLEY (Minister Assisting the Premier in Economic Development): As members would be aware—and particularly the member for Hartley would remember JP Morgan Investor Services—it has a regional operations centre located at Payneham, and I know that my good friend the member for Stuart as a former chair of the IDC would know exactly where this one is heading. In 2001 the former government offered a package of financial assistance and access to the industrial premises development scheme to a company called JP Morgan to secure a major investment here in South Australia. The sum of $3.8 million was paid to the company, and out of this the government has been able to claw back only $243 000.

I am advised that the purpose-built facility cost the state some $20 million to construct and that at its height JP Morgan's operations employed approximately 170 staff. In November 2003 JP Morgan Investor Services advised government that they had lost their contract to provide services to a major client. The Department of Trade and Economics was advised by JP Morgan yesterday that the loss of this contract will result in the reduction of some 60 to 70 staff at the centre by early 2005.

JP Morgan will advise the remaining 100 staff as we speak that, in order to realise economies of scale, all operations will be progressively relocated to Sydney from January 2005. Staff will be offered redundancy or alternative employment in Sydney with the resultant staff losses expected to be finalised during 2005. The closure of JP Morgan's operations follows a similar downsizing by Motorola in the last few weeks. These are two companies that were provided multi-million dollar assistance packages by the former government. This simply vindicates this government's decision that corporate welfare of the past—under former Labor governments too, I might add—will no longer work.

Mr Brokenshire: Sixty four million of them.

The Hon. P.F. Conlon: They have never understood it.

Mr Brokenshire: You love sniffing roses. That is what I understand.

The SPEAKER: Order! If the member for Mawson insists on having a conversation with the Minister for Infrastructure, he would be well advised to shift himself across the chamber; otherwise I will shift him out.

Mr Conlon: What do you mean by that, Robbie?

The SPEAKER: The Minister for Infrastructure will cease and desist.

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Infrastructure will no longer interject.

The Hon. K.O. FOLEY: The government has made it clear from day one that we will not be subsidising companies and handing out corporate welfare to the extent that occurred previously. This has shown that selective picking of winners to the extent that occurred previously has come at a very high cost for tax payers. It is mobile capital: they lost a client, they relocate jobs, economies of scale reduce and they then have to relocate the entire operation.

This centre is very controversial. The member for Hartley and my friend the member for Norwood would recall that the location of this centre at Norwood caused much controversy. I am advised that this facility is worth some $20 million. Whilst the company will have obligations to maintain the lease for at least another seven or eight years, we will then have a redundant asset for which we will have to find an alternative use. The member for Stuart knows full well the agony that the government (including many of my colleagues here) went through in making these sorts of decisions.

This government, with quite a separate policy, has said, 'Lets bring down the cost of doing business in this state for everyone.' That is why we cut payroll tax and removed other business taxes in our last budget. That is why unemployment in this state has reached its lowest level for decades. We have had 16 consecutive months of growth in job advertisements. Drake International's quarterly employment forecast predicts that 11 040 new jobs—that is very good forecasting—will be

created over the next three months in South Australia (a 1.9 per cent increase in net employment). Since March 2002 (when this government came to office) and September 2004 there has been an increase of over 31 000 jobs. The unemployment rate is now 6 per cent; it was 7 per cent when we came to office.

Access Economics has forecast unemployment to fall to 5.5 per cent by 2008-09. Obviously, that is assuming that we are still in government. The reality is that picking winners comes at a cost: it is high risk, and there is a high cost. Some policies adopted by previous governments of either persuasion have not been good for this state. That is not to say that there should not be, from time to time, selective targeted assistance, but such an overall policy is not good for this state. This government's approach to working in partnership with business, lowering the cost of doing business, making the state more competitive, restoring a triple-A credit rating is what drives jobs growth in this state, not the hand-out mentality that proliferated under former premier Olsen.

PUBLIC SERVICE, SALARIES

Mr WILLIAMS (MacKillop): My question is directed to the Minister for Administrative Services. Given the fact that within the Department of Administrative Services there are now 55 per cent more public servants who earn more than $100 000 a year (that is, 85 public servants today compared with only 55 in 2002), what steps is the minister taking to achieve the government's promise of reducing the number of public servants who earn more than $100 000?

The Hon. M.J. WRIGHT (Minister for Administrative Services): The Deputy Premier has already given a very good answer on this subject. This government has done more in two years to reform the Public Service than the previous government had the courage to do in over eight years—there is no doubt about that. The Attorney-General has also answered a question in respect of his department. I can provide similar information in respect of the CPI and the very important services that are being provided. DAIS is a very big department. Some of these people in the wage band to which the member for MacKillop refers include people employed by the commission and the court who are obviously performing a very valuable role. It is as simple as that. Of course another thing that should be highlighted is that those executives who receive in excess of $100 000 fall into that category because the package they receive includes other benefits such as a vehicle and superannuation. So, they receive a package, and that is not to be ignored.

The Hon. R.G. KERIN (Leader of the Opposition): Is the minister saying that he does not agree with the promise made by the Premier and the Treasurer to reduce the number of public servants who earn over $100 000?

The Hon. M.J. WRIGHT: No, I'm not.

ADELAIDE ON THE MAP

Ms RANKINE (Wright): My question is to the Minister for Tourism. Minister, how are you—

Members interjecting:

The SPEAKER: Order! Perhaps we can provide the Minister for Infrastructure and the member for Mawson with a couple of chairs in the middle of the chamber, and they can sit there and chat to each other, rather than interrupt the proceedings of the chamber by yelling across the chamber to each other.

The Hon. DEAN BROWN: I rise on a point of order, Mr Speaker. I think this is the second time, sir, that you have had to caution the Minister for Infrastructure. Earlier today, I thought you indicated that you were going to name that minister when he was next warned.

The SPEAKER: The difficulty I have, may I tell the deputy leader in response to his point of order, is that I would have to name two people at once. The member for Wright.

Ms RANKINE: My question is to the Minister for Tourism. How is the minister helping to put Adelaide on the map?

Members interjecting:

The Hon. I.F. EVANS: I rise on a point of order, Mr Speaker. Adelaide is already on the map. The question is out of order.

The SPEAKER: I did not realise that the Geographic Names Board was responsible to the Minister for Tourism!

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the member for Wright for her question. She, unlike some members opposite, understands the existential angst that people feel when they look at a map shown on CNN, BBC, Euro Sport, Fox and Discovery Channel and discover that Adelaide is not designated as a city of note. Many of us involved in the tourism industry have had letters from people who, in their travels around the world, are enraged when they see airline maps that do not put our city on the map, and they often complain that something should be done about it. I have great pleasure in telling the house today that, following our action, the BBC web site now includes Adelaide.

I was concerned to receive an email from a constituent who pointed out that the BBC map on its web site BBC.Co.UK failed to show Adelaide. So, I immediately wrote to the Director-General of the BBC, an organisation with a distinguished record of information delivery, news and entertainment to hundreds of millions of people around the world, and pointed out this anomaly. I thought it important to point out to the Director-General that, in fact, Adelaide is the home of the Adelaide Oval, the renowned location of many of Bradman's efforts; it is the place where we held over many years the Tour Down Under; it is where the Rugby Cup was held last year; and, most importantly of all, it is the home town origin of Jacobs Creek, Wolf Blass, Orlando, Penfolds and many of the fine wines that are exported. So, although our population is small—barely more than 7 per cent of the Australian population—we export more than 70 per cent of Australia's fine wine.

This information was taken to heart by the BBC, and I have just received a letter from the Director-General's office advising me that, at my request, Adelaide has now been added to the map of country profiles shown on the BBC web site. I particularly thank the constituent for drawing this matter to my attention and say how pleased I am that Adelaide is now on the map.

WHYALLA ON THE MAP

The Hon. R.G. KERIN (Leader of the Opposition): I have a supplementary question. Will the minister also agree that in future Tourism SA will include Whyalla on the map of Eyre Peninsula, given that it has disappeared off the South Australian tourism maps, and apologise to the people of Whyalla and the member for Giles?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I do not think there is anyone in this chamber, except perhaps the member for that area, who admires Whyalla more than I do. It is really the epicentre of tourism in the state. It is the gateway to the Outback, it is where the sea meets the Flinders Ranges and it is a fabulous location for holidays. Not only does it have fine hotels and fabulous restaurants but also it has the breeding grounds of the giant cuttlefish. In fact, I am really pleased to have the opportunity to tell you that I have dived on the cuttlefish breeding grounds with my family, and I am proud to say that the last holiday my family took was in Whyalla.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: I rise on a point of order. It was a simple question. Given the fact that the government does not feel that Whyalla is important enough to go on the Tourism SA map, will the minister reinstate Whyalla to the map? It is a simple question.

The Hon. J.D. LOMAX-SMITH: I am very pleased to tell the Leader of the Opposition that, in fact, the printing error has been corrected.

PUBLIC SERVICE, SALARIES

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Treasurer. How many of the 'public service fat cats', as the Treasurer calls them, has he tapped on the shoulder with their contracts and said goodbye to since coming to office? Before the last state election, in relation to highly paid public servants, the Treasurer stated:

> I relish the opportunity to get into office and make the savings that are needed to fund Labor priorities. . . I relish in the opportunity in tapping a few fat cats on the shoulder with their contracts and saying goodbye.

The Auditor-General's Report shows that the number of people in the public service earning more than $100 000 a year has risen by over 70 per cent since the Treasurer has been in office.

The Hon. K.O. FOLEY (Treasurer): I tell you what, Mr Speaker: I have relished the opportunity of coming into government and cutting and making savings with the odd tap on the shoulder, but the tap on the shoulder would normally come from the Premier.

The Hon. W.A. Matthew: And he hasn't done it.

The Hon. K.O. FOLEY: Not to me, I hope. I will keep at arm's length from the Premier just in case he feels like tapping me now. This is a very important point. I would not want in the slightest way to suggest or reflect on members opposite that they are perhaps being mischievous, but—

The Hon. W.A. Matthew: It was your promise.

The Hon. K.O. FOLEY: Yes; that is okay. I understand that. On this issue of salaries going from $99 000 to $100 000—

Ms Chapman: How many have you got rid of?

The Hon. K.O. FOLEY: I can pre-empt the question next year from the shadow minister for education because, at present, I am advised that PCO8 principals in the government's education department earn some $99 956 gross per annum. That is the initial advice that I am provided with; I will correct it if it is incorrect. We are about to enter into an EB arrangement and, by 1 July next year, principals of that classification will be earning over $100 000. So, the shadow minister for education can come in here and ask why we are paying people in the education department over $100 000; and I am going to save her the pain in a year's time and tell her that it is because their wages have gone up. That has happened across government. If you think that we are not going to pay lawyers in the Crown Solicitor's Office who successfully prosecute people like Bunting and who are paid salaries over $100 000, you are wrong. I come back to the record of this government and my colleagues. We took out $960 million of budget savings in our first budget, followed by—

The Hon. R.G. KERIN: I rise on a point of order. The question was purely about tapping shoulders.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Since coming to office, we have removed from office, government and service a number of CEOs. We have taken—

Members interjecting:

The SPEAKER: Order! The Treasurer has the call.

The Hon. K.O. FOLEY: I was hoping my dignified conduct today would be infectious: it clearly is not. I am enjoying it; it is doing wonders for my heart rate and blood pressure, and this is a far more enjoyable way. I find that you can take interjections a lot easier in this mode; you do not get quite so hyper.

An honourable member: Don't tell that to the Minister for Infrastructure. The Mogodon kid.

The Hon. K.O. FOLEY: The Mogodon kid. Where were we? We were tapping shoulders. We do not resile from the fact that an efficient public sector requires a number of reforms, and we are doing that, as I outlined earlier to the house. Unlike the former Liberal government, we as a government are prepared to get rid of tenure for executive levels. The last government would not do that. We have done it, because we are a good government. We are a good government: is that generally agreed on this side? Generally agreed on this side! This is an interesting, if not mischievous, point being made by the opposition. I am happy—

The Hon. D.C. Kotz interjecting:

The Hon. K.O. FOLEY: I think I am just getting carried away. I could stand here and talk all day, sir: I am rather enjoying it, but I suspect you will not allow me to. I might just sit down. I might tap myself on the shoulder!

HEALTH, COUNTRY

Ms BREUER (Giles): My question, in a very dignified and courteous manner, is to the Minister for Health. Has the government released strategic guidelines to improve health outcomes for people living in country South Australia, including Whyalla, and is this information now accessible to the public?

The SPEAKER: The honourable Minister for Health, in a dignified and courteous manner as always, will answer.

The Hon. L. STEVENS (Minister for Health): Thank you, Mr Speaker. The member for Giles' questions are also always dignified and courteous. Following the Generational Health Review, the government has been working with regions, with health planners, with health providers and the community about how to achieve better health outcomes for all country people. Last week I had the pleasure of officially launching Strategic Directions for Country Health 2005-2010 at the second annual Country Health Conference. The Strategic Directions for Country Health follows the findings of the Generational Health Review and provides a framework

for country health services to improve health outcomes for people living in country South Australia.

For example the framework clarifies directions, identifies critical players and suggests initiatives to achieve the overall health objectives. Strategic Directions supports and complements regional and local service business planning and provides clear direction about where effort should be focused in the coming years. It also provides an important link to yearly regional health service agreements and specifies how improvements will be recognised. This Strategic Directions document recognises that people living in rural areas have different but no less important needs from those living in metropolitan Adelaide. It will help us plan and guide our country health system into the future. This work reinforces the government's commitment to servicing the health needs of country people, and the document is accessible to the public through the Department of Health web site.

DEPARTMENTAL FUNDS

The Hon. I.F. EVANS (Davenport): Was the Minister for Environment and Conservation aware in June 2003 of the potential $5 million cash flow shortfall in his Department of Water, Land and Biodiversity Conservation's operating account, which was being discussed by officials within that department throughout that month?

The Hon. J.D. HILL (Minister for Environment and Conservation): This is another attempt by the opposition to drag out this issue over the third day. I made a full statement yesterday. I cannot recall exactly when I became aware of that issue. I think I said it was at the beginning of October that the issue had been made known to me. If I am wrong in that, I will get a correction for the house.

The Hon. I.F. EVANS: My question is again to the Minister for Environment and Conservation. Given the chronology of the illegal $5 million transaction given to the house by the minister yesterday, will the minister confirm that the first time the Auditor requested advice from his department regarding the reason for this transaction was on 17 June 2004?

The Hon. J.D. HILL: I refer the honourable member to the encyclopaedic response that I gave on this issue yesterday, and the chronology that the honourable member referred to is in that document.

The Hon. I.F. EVANS: My question again is to the Minister for Environment and Conservation. If 17 June 2004 was not the first time the Auditor-General requested advice regarding the reason for the transaction between the Department of Administrative Services and the Department of Water, Land and Biodiversity Conservation, what was the date?

The Hon. K.O. FOLEY (Deputy Premier): I can advise the house that the advice I have before me is that in June 2004, the Auditor-General discovered irregularities during the normal course of audit.

The Hon. I.F. EVANS: My question is for the Minister for Environment and Conservation. When the minister or the Treasurer went to cabinet in late June 2004 to seek approval for an additional appropriation of $6 million of funds to cover a cash flow shortfall in his environment and heritage department, why did he not tell the Treasurer or the cabinet then that his department had recently been advised by the Auditor-General that a $5 million transaction from DAIS to his Department of Water, Land and Biodiversity that occurred on 1 July 2003 was, in fact, an illegal loan to cover cash flow shortages? The Auditor-General's report states that, in late June 2004, the Department for Environment and Heritage identified a potential cash shortfall. To address the risk an additional appropriation of $6 million was provided to the department, and $3 million was released from the accrual appropriation account to the operating account. In a statement provided to the house yesterday, the minister said on 17 June 2004 that in a meeting with the Attorney-General's department the departmental officers became aware for the first time that the $5 million transaction to the department was an illegal loan from DAIS.

The Hon. J.D. HILL: As I already said, I gave a comprehensive statement to the house about the facts as I know them, based on advice given to me by my department. I also had conversations, of course, with the Auditor-General, who believes that my department has responded appropriately to these issues as they were raised in the audit report. I will have a close look at the question asked by the member; it was a complex question with a whole range of subclauses. I will get back to him if there is anything fresh to add to the statement I have made.

ADELAIDE UNITED SOCCER TEAM

Mr KOUTSANTONIS (West Torrens): My question is for the Minister for Recreation, Sport and Racing. Have there been any developments since the Adelaide United Football Club announced that it was going to join the National Soccer League?

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): I thank the member for West Torrens for his question, and I would also like to acknowledge his great support for soccer. I can report to the house that there have been some very positive developments. The government's commitment to work with Adelaide United regarding hire arrangements for the stadium has enabled Adelaide United to review its business plan, give them confidence to sign a participation agreement and to now move forward with greater confidence. An important aspect of the negotiations is related to Adelaide's use of the Hindmarsh Stadium for home games. We all well remember the fantastic turnout last year which was, I am sure, something that all members of the house would be delighted about.

The government has agreed to United's request to bolster the revenue stream by providing increased signage opportunities at Hindmarsh. Through the Office of Recreation and Sport, the government is working with Adelaide United to finalise terms and conditions for the hire of the stadium and to finalise an agreement by the Soccer Federation to relinquish a number of seats, corporate boxes and signage. The government has also agreed to give some of our signage to Adelaide United. The government is working with Adelaide United and the Pickard Group to allow South Australia to continue with the great season that was held last year. The Australian Soccer Association is working with the state federation to determine structural arrangements for soccer in South Australia.

The government is negotiating with the South Australian Soccer Federation on the management agreement as part of the establishment of the new state soccer entity under the new Australian Soccer Association constitution. The government is committed to ensuring that soccer in South Australia is able

to prosper, based on sound business practices around the establishment of the new entity. I know that all members on both sides would want to join me in congratulating the Premier on successfully resolving this dispute by bringing it to a head and getting a win for soccer in South Australia. That is what it was all about. I know that members opposite hate soccer, but this was a great victory for soccer in South Australia. We will always support soccer in South Australia, and the Premier led the way.

Members interjecting:

The SPEAKER: Order! By whatever means, the minister has divined the state of mind of members opposite to enable him to come to the conclusion that they have likes and dislikes, which escape my attention, I am sure. However, it is not proper for him to make such baseless allegations which cannot be substantiated by reference to an authoritative document; or, alternatively, if he wishes to make them, it should be by substantive motion.

PUBLIC SERVICE WAGES DISPUTE

The Hon. I.F. EVANS (Davenport): As a supplementary question, given the minister's answer about the Premier's interest in resolving disputes, why will the Premier not meet with the Public Service Association and resolve the wage dispute?

Members interjecting:

The SPEAKER: Order! The chair could not hear the question. Could the member for Davenport repeat the question?

The Hon. I.F. EVANS: Sorry, Mr Speaker. My supplementary question to the Minister for Industrial Relations was: given the—

An honourable member interjecting:

The Hon. I.F. EVANS: Well, he raised the issue—

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order! The Attorney-General loves the soccer stadium; it is in his electorate. The Attorney-General, however, was not part of the process which we have on foot. The member for Davenport, for the benefit of the chair if for no other members, is repeating the question which the chair could not otherwise hear because of the interjections coming from the member for West Torrens and others when it was first asked. The member for Davenport.

The Hon. I.F. EVANS: My question to the Minister for Industrial Relations was: given the Premier's interest in resolving disputes, will he explain why the Premier refuses to meet with the PSA and resolve that dispute?

The Hon. M.D. RANN (Premier): I am in this new spirit of humility and dignity of which, perhaps, we needed a little more over recent days and nights. I was very pleased to try to bring soccer together. I want to try to bring more people together. I am happy to help out, whether it is in the Middle East or, when we finish there, maybe even try to bring the Liberal Party together. I mean, I could try to bring the honourable member together with the member for Bragg, but that might be even beyond my ability. But, I do my best. I am from the government. I am here to help even the opposition.

DEPARTMENTAL FUNDS

Mr WILLIAMS (MacKillop): Will the Minister for Administrative Services provide the house with a statement indicating a full chronology of events that led to his department's illegally transferring $5 million into the Department of Water, Land and Biodiversity Conservation's operating account, and will he detail how this illegality was discovered and all subsequent actions taken by his department? Yesterday the Minister for Environment and Conservation circulated a chronology of the transactions within his Department of Water, Land and Biodiversity Conservation because, as he stated, it was 'important to go through about how this matter came to be'.

The Hon. K.O. FOLEY (Deputy Premier): It is difficult for the current Minister for Administrative Services to answer that question because he was not the minister at the time. However, I am happy to provide a chronology. It may take some time, but I think that, with a dignified delivery coupled with a dignified reception, we might get through this reasonably briefly. I do not need to go all the way back. The honourable member is particularly interested—

An honourable member interjecting:

The Hon. K.O. FOLEY: Did the member for Kavel say that I am pathetic?

The Hon. P.F. Conlon: No, that is much too big a word for the member for Kavel.

The SPEAKER: Order! The Deputy Premier has the call. I did not hear anything except from the Minister for Infrastructure.

The Hon. K.O. FOLEY: I am hurt, sir, but in a dignified manner I refuse to respond.

The SPEAKER: Oh, that is commendable.

The Hon. K.O. FOLEY: Thank you sir. In June 2003 senior finance officers from the Department of Water, Land and Biodiversity Conservation requested a loan of $5 million from DAIS prior to 30 June 2003. On 30 June the transaction was not completed, so the Department of Water, Land and Biodiversity Conservation considered the issue closed. On 1 July 2003 a transfer of $5 million was done without the knowledge of the Department of Water, Land and Biodiversity Conservation. In September 2003 the loan was discovered by the Department of Water, Land and Biodiversity Conservation. I am trying to get on to the bit about the Minister for Administrative Services. In June 2004 the Auditor-General discovered irregularities during the normal course of the audit. I am advised that neither the minister nor the then CEO of DAIS were aware of this issue and, in fact, the Auditor-General in August 2004 formally advised the CEO of DAIS of this issue. This is the first time that this was brought to the CEO's attention. On 30 August 2004 the CEO—who was not the CEO at the time of this transaction, and I am told that the CEO at that time was unaware as well—informed the current minister of the issue. He noted that he had informed the Under Treasurer and was seeking advice from the Crown Solicitor.

On 26 August the CEO of DAIS wrote to the Acting Under Treasurer informing him of what had occurred. The Acting Under Treasurer informed the Treasurer (that is me), shortly thereafter. On 15 September 2004 I wrote to ministers Hill and Wright requesting advice on all relevant facts concerning the above transaction; steps that have been taken by the departments to address the concerns over the transactions identified by the Auditor-General; and action that had been and ought to be taken regarding the officer involved.

Mr Brindal interjecting:

The SPEAKER: Order! The member for Unley is out of order.

The Hon. K.O. FOLEY: On 7 October I received responses from those ministers noting and advising what action had been taken within the Department to ensure that

the situation did not occur again. As we know, on 11 October the Auditor-General provided this. I think that that more than adequately covers the question.

Mr WILLIAMS: I rise on a point of order. The Treasurer has provided some interesting information, but my request was specifically for what occurred in the Department of Administrative and Information Services and where the money was transferred from. The parliament is yet to have an understanding of what went on in that department, and that is the information I am seeking.

The SPEAKER: I understand the curiosity of the member for MacKillop.

The Hon. K.O. FOLEY: I thought that I had covered that, but I apologise if perhaps in my dignified manner it was not as it was delivered. The advice provided to me is that at the time neither the minister nor the then CEO, I think Graham Foreman, were aware of the transactions.

An honourable member interjecting:

The Hon. K.O. FOLEY: Of course we are. That is why we have had work done internally. The new CEO, Mr Paul Case, became aware of the transaction, informed his minister that Treasury had been advised, as had the Crown Solicitor, and wheels were in motion to ensure that this was acted upon appropriately, and I think that that more than adequately covers the breadth of the question that was asked. I hope that the honourable member would be satisfied with what, I think, is a more than detailed, frank delivery of an answer. I do not know what more one could add.

RESEARCH AND DEVELOPMENT

Mr O'BRIEN (Napier): My question is to the Minister for Science and Information Economy. What recent measures has the government put in place to boost the research and development performance of the state?

The Hon. P.L. WHITE (Minister for Science and Information Economy): The state government is, through the leadership of the Premier's Science and Research Council, committed to supporting initiatives that result in strong collaborative partnerships between industry and research organisations. We are aiming to foster projects that contribute to sustainable economic, social and environmental outcomes. In fact, recently released Australian Bureau of Statistics estimates for the 2002-03 year show that South Australia's total expenditure on research and development across all sectors of the economy as a share of gross state product was 2.3 per cent compared with the national average of 1.6 per cent. The government is working now to achieve a similar result for business expenditure on research and development and, consequently, I am pleased to say that there has been an excellent response to the state government's call for applications to invest up to $3 million per annum from the newly expanded Premier's Science and Research Fund in order to build skills, knowledge and capabilities in innovation, science and technology in this state.

Members might recall that the Premier and I announced the first two successful participants to receive money from that fund at the launch of the government's 10 Year Vision for Science, Technology and Innovation in April this year. The state's investment (on that particular occasion) in the Robotics Peer Mentoring program and Microanalysis Futures project will leverage (in total) more than twice the amount of cash contributions from the project partners over three years.

In response to the first of the two calls for applications in this financial year we have received 69 applications seeking more than $39 million over three years in support of science and research projects with a total estimated value of more than $197 million. Of those applications, 29 have now been approved to proceed to stage 2, and I look forward to informing members of the outcome of the first round of this year's fund in due course. I would also like to recognise the contribution of members of the Premier's Science and Research Council for their input in enhancing the research and development performance of our state.

The Hon. P.F. CONLON (Minister for Infrastructure): I move:

That question time be extended for five minutes.

I want to see whether they can bring this dead horse back to life.

Motion carried.

R v ANGUS

Mr RAU (Enfield): My question, which is completely without notice, is to the Attorney-General. What was the outcome of the Director of Public Prosecutions' appeal on the sentence in the Angus case?

The Hon. M.J. ATKINSON (Attorney-General): On 8 October, the Court of Criminal Appeal delivered its judgment in the case of Angus, after an application by the Acting Director of Public Prosecutions for leave to appeal against a sentence imposed by a judge of the Supreme Court. Angus had pleaded guilty to one count of manslaughter and one count of assault occasioning actual bodily harm. Members (particularly the member for Mawson) may be aware of the circumstances of the offence. Angus was drunk and had been smoking marijuana and was joy-riding in the boat of the Furniss family. Mr Furniss and his son attempted to stop Angus. Angus resisted Mr Furniss's efforts and that of his son. Angus assaulted both the son and the father. Angus hit Mr Furniss with an oar and with his fists. Mr Furniss drowned.

I would like to commend the assistance provided to the Furniss family and the police by the member for Mawson, who was camping in the same area. The member for Mawson is to be congratulated for his efforts immediately after the incident.

A plea of guilty to manslaughter was accepted on the basis that Angus did not intend to kill Mr Furniss or to cause him serious bodily harm. The plea of guilty was made at a very late stage. The trial judge imposed a total head sentence of 10 years' imprisonment with a non-parole period of six years and six months. The latter assault was on the son. The Acting Director of Public Prosecutions (who, for the information of the member for Bragg, is doing a good job) applied for leave to appeal on the basis that the sentence for the offences of manslaughter and assault occasioning actual bodily harm was manifestly inadequate; that the reduction to the plea of guilty was excessive in the circumstances; and that the non-parole period was inadequate. The Court of Criminal Appeal granted leave to appeal and allowed that appeal.

Chief Justice Doyle (with whom Justices Besanko and White agreed) said that he would not have made a reduction of 25 per cent for the plea of guilty. His Honour said that he would have allowed a reduction of no more than 15 per cent and that he would regard this as generous. The court set aside the sentence imposed by the trial judge and substituted a sentence of 13 years and three months' imprisonment, with a nonparole period of eight years and six months.

AUDITOR-GENERAL'S REPORT

Mr WILLIAMS (MacKillop): Considering the Treasurer's offers to be full and frank in answering the questions a few moments ago, I will—

The SPEAKER: The member for MacKillop does not have the leave of the house to give it his opinion of the Premier, Deputy Premier or any other member's conduct, but merely to ask a question or to make an inquiry—in short, to get some information.

Mr WILLIAMS: Thank you, sir. I was overwhelmed by my excitement at the prospect. Does the Treasurer believe the financial mismanagement, fraud and multi-million dollar illegal transactions detailed by the Auditor-General in his report are a reflection of adequate financial controls? In answer to a question in the house on Tuesday, the Treasurer said:

> Since coming to office, we have instituted the toughest regime on financial controls this state has ever seen.

The Hon. K.O. FOLEY (Treasurer): The member need not preface his question with 'frank and full response,' because I always give frank and full answers. The issue in relation to the use of the Crown Solicitor's trust account was, I believe, because of and the result of the very strict financial controls we have put in place. We have put a very stringent carryover policy in place to tidy up the very slack (and I do not use that word provocatively) and loose set of arrangements under the former treasurer. We put in place—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I am very tempted to go back to form, sir, but I will not: I will resist that temptation.

The SPEAKER: The Deputy Premier has the call and, as always, he will continue to conduct himself in the gracious manner to which we have become accustomed.

The Hon. K.O. FOLEY: Thank you, sir. It is as a result of the restrictions and controls we have put in place that it would appear—

Members interjecting:

The Hon. K.O. FOLEY: The member is talking about different transactions.

The SPEAKER: Order! The members for Bragg and Newland are out of order.

The Hon. K.O. FOLEY: Members opposite confuse themselves; they confuse me. Officers who choose to attempt to circumvent, get around or deceive the government, the Treasury and the Treasurer will find out very soon the penalty that will be applied for that attempt. It was because of the financial controls of this government that this attempted deceitful act failed; it was picked up and corrected. This government is very proud of its very strong financial record, which has been rewarded with a AAA rating.

Mr WILLIAMS: I have a supplementary question. Does the Treasurer expect the same high standard of financial management from his ministerial colleagues as he expects from public servants, and will he similarly discipline ministers who do not perform to these standards?

The Hon. K.O. FOLEY: It is a cute question and one that one would not be surprised would be asked by an opposition shadow minister who has never served in government. The answer is simply this: the quality of financial management and ministerial openness, frankness and responsibility in this government is so far ahead of those members opposite that it is laughable. Ministers of the former government would hide, conceal and deny; they would say that it simply did not occur. This government is not perfect, and errors will and do occur. However, the test of a good government is one that acknowledges and fixes its errors and moves on. That is the quality of a good government, and by any measure this is a good government.

MATTER OF PRIVILEGE

The SPEAKER: Order! On that note, could I respond to the inquiry made by the member for Unley recently on the question of privilege with respect to those matters, when he drew my attention to the remark I had made about ministers when they omit to provide to the house a response to the legitimate inquiries made of a minister or member for information being sought by that member. Quite simply, the point that needs to be made to the member for Unley and the house in addressing this matter is that the house was aware of the new administrative policies and procedures which the government had introduced. Under those circumstances, any honourable member may have chosen to make inquiries about the departmental budget surpluses and whether or not compliance was occurring.

However, no member asked whether there were any departmental budget surpluses and, if so, what had happened to them. Indeed, the first that the house became aware of it was when government ministers drew attention to the fact that it had occurred in whatever time frame. Accordingly, this is very different from the occasion referred to in the Cramond report about the former minister Olsen's failure to provide valid information—indeed, his deceit in providing inaccurate and inappropriate information—to the house which Mr Cramond found had the effect of denying the opposition the right to further inquire into what had been happening.

That observation was reinforced in subsequent inquiries by other people, the last of which was the Clayton inquiry and report. Whilst it may be regarded by some as a breach of the code of conduct, that is a matter for the government alone which has imposed the code of conduct upon itself. It is not a matter for the chair. It is not a breach of privilege.

I draw honourable members' attention to the *Notice Paper*. They will be invited to accompany me shortly before 4 p.m. to Government House to deliver the Address in Reply to Her Excellency the Governor.

DEPARTMENT OF ABORIGINAL AFFAIRS AND RECONCILIATION

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

Leave granted.

The Hon. M.D. RANN: Today, in Executive Council, Her Excellency the Governor issued a proclamation under section 7 of the Public Sector Management Act 1995, transferring the division known as the Department of Aboriginal Affairs and Reconciliation (DAARE) to the Department of the Premier and Cabinet. DAARE had previously been placed under the Department for Families and Communities. DAARE will now fall within the division of Indigenous Policy and Special Projects established in the Department of the Premier and Cabinet. The new administra-

tive arrangements mean that the officers of DAARE will ultimately report to the Chief Executive of the Department of the Premier and Cabinet. The arrangements do not alter ministerial responsibility for the portfolio of Aboriginal Affairs and Reconciliation under the Hon. Terry Roberts MLC. Mr Peter Buckskin remains Chief Executive of the Department of Aboriginal Affairs and Reconciliation. The change is a logical next step in the structural reforms the government has implemented in the coordination of its services and policy formulation on Aboriginal issues, in particular the coordination of government services to the APY Lands.

Earlier this year, this government took strong and immediate action to prevent further deterioration of conditions for people living on the Anangu Pitjantjatjara Yankunytjatjara Lands. Part of our response was to establish a cross-government task force, situated in the Department of the Premier and Cabinet, and charged with the task of identifying programs for immediate delivery and developing a comprehensive and strategic plan for sustainable improvement of conditions on the lands. It makes good sense to place DAARE within the Department of the Premier and Cabinet, which is well placed as a central agency to drive the whole of government approach to Aboriginal Affairs.

STANDING ORDERS SUSPENSION

Mr VENNING (Schubert): I move:

That standing orders be so far suspended as to enable me to move a motion forthwith.

The SPEAKER: There being an absolute majority of the whole number of members of the house present, I accept the motion.

Motion carried.

PRIVATE MEMBERS' BUSINESS

Mr VENNING (Schubert): I move:

That, for the remainder of the session, standing and sessional orders be so far suspended as to provide the following in relation to private members' business:

(a) Any notice of motion that has appeared on the *Notice Paper* on three or more previous days on which it could have been but was not called on is given precedence in the order in which it originally appeared;

(b) Any notice of motion given such precedence cannot be postponed and, if not moved, is removed from the *Notice Paper*; and

(c) Any notice of motion that has been postponed on three previous occasions is removed from the *Notice Paper* if not moved when next called on.

The Hon. P.F. CONLON (Minister for Infrastructure): The government will support this, despite the lack of courtesy of the member for Schubert in not raising it at all with me. We will support it.

Motion carried.

GRIEVANCE DEBATE

PORT AUGUSTA YACHT CLUB

The Hon. G.M. GUNN (Stuart): On Monday, the Minister for Transport answered a Dorothy Dix question from the member for Giles, and I think it will be of interest to the house to note what actually took place in relation to the story of the freeholding of the land occupied by the Port Augusta Yacht Club. I am not one to be easily upset or offended. However, in this particular system that we have in the parliamentary democracy, local members do have some rights and are normally recognised. During the term of the previous government under Minister Evans, the yacht club received some $75 000—

The Hon. P.F. Conlon: Are you claiming land rights?

The Hon. G.M. GUNN: Just listen. It received some $75 000 from the state government so that it could put what is now an excellent facility on that land. The yacht club has been in existence for a very long time, has done a great job and is a credit to the community. Some considerable time ago the Commodore of the yacht club, Mr Don Hayes, a very hard working, good citizen at Port Augusta, came to see me as the local member and said that they wished to freehold the land. I said that was a very good idea, that it would have my full support. They had been negotiating with the department for a considerable amount of time and they did not appear to be making the progress that they wanted.

I said that there was only one way to solve this matter and we would arrange a deputation to see the minister. Obviously, there had been lot of correspondence, and I asked him to bring me copies of the correspondence, and we would then approach the minister's office with a view to setting up the meeting. I said that I would be very happy to take him and other members of his committee along to meet the minister. He said that he would make sure the documents got to me. Some weeks passed and nothing happened, so I phoned Mr Hayes asked him what the situation was. 'Oh,' he said, 'I thought the documents had been given to you, and we have a meeting set up with the minister'. (Stay here, Rory; you might find something interesting here.) I said, 'Well, look; I haven't seen them; I haven't done anything, because you haven't brought the papers'. He told me that they were supposed to have been given to me, so I made some more inquiries, and he brought me the papers. I read them very carefully, and I then found out that the Labor Party office in Port Augusta had obviously intervened and stopped them coming to me and made the arrangements. That is fine. I then made written representations to minister Wright, personally handing him the submission in this chamber, and we are now waiting for his response.

I was delighted to see in the local newspaper that freehold title had been granted, and I thank the yacht people for acknowledging me and thanking me for my involvement, but on four occasions my office has attempted to get a written response about what was happening. As late as about 10 days ago, I understand, my office contacted minister Wright's office, and his staff said they were still preparing an answer. Of course, we got the answer after the ministerial statement in the parliament and after it was on the front page of the local newspaper.

I am delighted that the yacht club received freehold title, as I was delighted when the West Port Augusta Football Club got freehold title under the previous government, as did all the shacks at Blanche Harbour. Let us hope that other sporting organisations get freehold title. I make the point that, in our system, if you expect cooperation, it is a two-way thing. I attempt to carry out my duties as a local member of parliament; I attempt to be reasonable in this place but, if people want to play those silly little childish games, well then go and do it! But, remember, these things always come back to bite you if you play silly, childish games; and two can play the game. I do not interfere in or ask questions about the member for Giles' electorate, but I am annoyed that the

minister's office continues to fob off my staff and not supply me with an answer. Well, if they want to play those games, we will go down that track.

Time expired.

APY EXECUTIVE

Ms BREUER (Giles): In prefacing my remarks, can I just say that I have no idea what is the matter with member for Stuart today. I think he ate something last night. I have been accused of all sorts of things I have absolutely no knowledge of. However, that is between the member for Stuart and me to sort out. Yesterday I was very concerned to read an article in the *Bulletin* magazine about the new chair of the AP executive. A number of claims were made about Mr Bernard Singer, and I have no way of knowing whether they are true, nor do I intend to pursue the matter. Certainly, if the Anangu in the lands have concerns about him, then it is a very unfortunate start to the new council on the AP lands. I have not had the opportunity to congratulate Mr Singer yet, because I have been away, but I will do so in the next week. I will also congratulate the others on the new executive, some of whom were on the previous executive and some of whom are new to the job.

I raise this issue because I want to point out the complexity of the issues concerning governance in the lands. Four months ago I was told by a number of people that democracy would sort out the problems on the lands. It is no secret that I was very upset by the statements made by the former coordinator for the lands, Mr Bob Collins. I have long admired Mr Collins, and I appreciate the work that he was able to do on the lands, but I think that his opinions were formed very quickly and without much understanding and appreciation of the situation there. My contacts and information sources say that this was not the situation, and I have not changed from that and I have, of course, spoken on this before.

The communities on the lands have many problems. State and federal government services have not been coordinated for many years on the lands. There is petrol sniffing, alcohol and other substance abuse. The AP council was trying to keep control against all odds. It was running uphill six paces, and then sliding back another seven. I was very upset the day after the election, Tuesday 4 October, about an article in *The Australian* which had the major headline: 'Blacks ditch dysfunctional council'. This appalled me, because the statements are just sensationalist and based on nothing. The article further states:

> Hundreds of voters across the Anangu Pitjantjatjara Lands yesterday dumped the region's dysfunctional governing body in an election. . . A record turnout ousted council chairman Gary Lewis by a slim margin of six votes after 703 people voted across the vast AP lands. . .

The article quoted the opposition spokesman, the Hon. Robert Lawson, as follows:

> . . . the elections signified a long overdue change for the AP lands. . . They have had a turbulent 18 months under the chairmanship of Gary Lewis and hopefully they will be able to move forward.

I found this article absolutely disgraceful and these sorts of comments very disturbing. One can hardly say that a margin of six votes equates to a resounding defeat for Mr Gary Lewis. He has been described as 'this seeming despot' in so many arguments. He missed out by six votes, for goodness sake. It is ridiculous to say that he was pushed out. One of the few joys in life is being able to say 'I told you so'; and, in this case, I do feel that. I told you so. There was no overwhelming feeling against Gary Lewis or that previous council.

Yes, there was a need for an election. I agree with that, and it has happened. I think that people should take the egg off their face and say that this was not a resounding defeat. Obviously, there was not the dissatisfaction with Gary Lewis that was pushed in various articles and by various individuals. The problem was that the role of the council was not helped by the criticisms directed at it. Elections are very difficult to hold in the lands. Community events such as funerals and football matches completely change and skew results. There was some question in this election about the validity of the people who voted.

I raise this issue today and urge all members to think about the people in those lands; think of the Anangu; think of the children dying from disease and from sniffing petrol; and think about the health problems and the domestic violence issues. Let us all work together to improve these problems and stop playing politics, which is played over and over by the media and various individuals. The task force must now show results. It cannot hide any more. We must get some results in the lands. My best wishes go to Mr Singer and the new AP executive. I hope that we are able to work together well.

I was also interested to hear the Premier's comments today about the changes in government and DAAR. I congratulate the Hon. Terry Roberts for his work in recent months. I think he has done an excellent job. I hope that we can now get on with the job of doing something about the tragic situation in the lands.

GRAIN CROPS

Mr VENNING (Schubert): I wish to bring to the attention of the house the serious effect that the unusual weather experienced earlier this week has had on the farms and farmers of the state. The unseasonably hot weather reached 42° on Monday, and the day before the temperature reached either 38° or 40°. The lack of rain over four or five weeks has already cost our farmers tens of millions of dollars. It is very serious. It is always easy for us, sitting in the airconditioning, not to understand the extremes of weather and what it can do to a major industry of this state, our grain croppers.

This is already costing the state tens of millions of dollars. The sad part about it is that the prospects were looking so good, say, five or six weeks ago. I declare my interest as a farmer; I still keep an active interest to see what is happening. Crops were so big that farmers applied extra nitrogen to them to keep up with the growth but, when the weather dries up like it has, that move is not only expensive but also counterproductive. The crop outgrows itself and dies because it cannot keep up with the lack of moisture.

Also, about three weeks ago we had an outbreak of rust. Many farmers sprayed their rust, and that included farmers on the West Coast and in the Mid and Upper North. That is a very expensive operation. Farmers sprayed their crops for rust, but I do not think it has rained since, or very little; and, of course, in hindsight, that was also a total waste of money. Farmers have incurred huge costs in trying to maximise what looked like excellent crops for this year. We now see a disaster looming, not having had any rain for five weeks. We have had strong winds, and we have had blistering heat.

The earlier cropping regions, that is, in the Mid and Upper North will get through with much reduced yields, pinched

grain and poor samples. That, coupled with the lower international grain prices forecast this morning, spells disaster not only for the farmers but also for the state, because the loss to the GDP will be huge. If it rains soon (in the next week or two), it could still bring on a reasonable yield for the later crops in the Lower North, South-East, Lower South-East and parts of the Lower Eyre Peninsula. If it does not rain, they will be worse off than the earlier cropping areas. They will get nothing, and a lot of them are considering cutting for hay already. So, it is a very serious matter, and I hope that members realise how serious it is and we hope that it will rain very shortly.

The Hon. Dean Brown interjecting:

Mr VENNING: The Mallee is in serious trouble. All that fringe areas around the Mallee and Cowell are already wiped out. A lot of them will not take a machine out of the shed. They have taken on huge costs with no income.

I welcome the news of Premier Rann getting behind the single desk last week, albeit in the last week of a federal election campaign. Let us hope that it now helps to advance us along. I query what the Minister for Agriculture, Food and Fisheries has been saying on this issue. He has been saying that he will not fund the review to look into the net benefit of the single desk for the state. The minister has had his head in the sand on this issue, and the Premier has now taken the issue completely out of his hands and has come out and said exactly what every farmer wanted him to say six months ago: that he supports a single desk. He went straight over the top of the minister; he could not care less about him and left him standing there high and dry like a shag on a rock.

The farmers are pretty upset that the Premier has now given that commitment; and let us hope he locks it in now by working with the federal minister, Mr Costello, and solving this problem. It is all very well for the Premier to grandstand like he did, but what has the current minister been saying? All he says is, 'It's up to you.' The industry and the people out there see that the Premier has trumped his minister, made him look even sillier than they think he is, and made it very difficult. I believe that the minister needs to put the South Australian farmers ahead of politics. What message does he think he has been sending out to our farmers? They will not bother with him now; they will go straight the Premier. I hope that we can advance the whole situation.

J.P. MORGAN INVESTOR SERVICES

Ms THOMPSON (Reynell): It was very sad today to hear the Treasurer announce the news that JP Morgan is not going to be able to provide the employment that was anticipated at its Payneham site. Any loss of jobs in the state is sad news, but this was particularly poignant news, as I was on the Public Works Committee at the time when this proposal was considered. Madam Acting Speaker, you will not remember, but I am sure that the Speaker would remember the distress of so many witnesses that we saw in relation to the development of that facility for JP Morgan Chase and the destruction of the much loved Payneham Civic Centre. That was one of the more disappointing of the projects that the Public Works Committee had to deal with in the days of the Olsen government. There were many that did not really indicate that this community was going to get value for its money but, in the case of the destruction of the Payneham Civic Centre and the replacement of community land with a private facility, there was incredible distress. I remember the witnesses from the RSL who were concerned about the impact on the Cross of Sacrifice in the adjoining area. There is also a memorial garden there. The proponents in the Department tried to accommodate the wishes of the RSL as best they could and change the alignment of the building.

Nevertheless, the RSL members were distressed because they would no longer be able to see the cross of sacrifice as they drove or walked down OG Road. Being able to see the cross of sacrifice from nearby roads had been part of the tradition for many years. Mr Bruce George of TreeWatch advised the committee that the redevelopment threatened a bird corridor through the community parklands adjacent to the centre. Mr George was quite distressed about this and, while we were on the site, he pointed out the run of trees which was currently available for birds to move easily through the area and which would be interrupted by the facility.

We inspected the Payneham civic facility and the upstairs ballroom. We heard stories about the weddings and wedding anniversaries that had been celebrated there as well as the 21sts and the 50th and 75th birthdays of many members of the same families. One particularly poignant disappointment involved people who had celebrated their wedding there and who had looked forward to celebrating their 50th wedding anniversary in the same place, but now the facility would not be there. So, this development has caused a lot of community concern.

The committee expressed its own concern that, while the council had conformed with the letter of the law relating to community consultation on the change of status of community land, it had not complied with the spirit of the law. The cancellation of public consultation meetings at the last moment and some very disruptive behaviour at various public meetings had not helped. Now we do not have the jobs that we had hoped for. We had been looking forward to at least a 10-year lease from JP Morgan. Maybe part of that lease will be able to be maintained. These are good commercial premises in the area, but that does not make up for the lack of civil amenity that was formerly available. Already in 2004 (not much more than two years after the building would have been occupied) jobs are being lost, and we are certainly not seeing the growth in jobs that had been promised. This has been a very sad experiment in the Olsen manner of economic development.

CIVIL UNIONS BILL

Mr BRINDAL (Unley): All my life the thing that I have abhorred most is prejudice and ignorance from people who are not prepared to properly consider a matter. I say that in the light of my introduction today of a bill which will be known by the short title of the civil unions bill. I do not wish to pre-empt debate on the bill, merely to use this grievance to explain to the house what I intend to do. For the purpose of the house, I have fixed the date of 8 December. I will not bring the bill in on that date, but I could not fix a date beyond 8 December because the executive government has not determined the parliamentary sitting dates for the new year.

My attempt in announcing my intention to introduce the bill today was merely to provide all members with copies of the bill so that they could consult their electors and interest groups and inform themselves of its contents, because I and every member of this house know that it will carry with it a certain degree of controversy. I said that I have always abhorred ignorance, bias and prejudice, and I will until the day I leave this chamber strive to argue against it, but I am

genuinely encouraged by the number of members on both sides of the house who have quietly sought me out and asked for a copy of the bill so that they can look at it. I think that is a responsible approach.

However, I am absolutely abhorred that a number of members of this place who have not read the bill have prejudged it and told the media exactly what they are going to do without knowing exactly what it is about. If the standard of representation of the people of South Australia is that any member of this place can prejudge something that they have not read and form an opinion about it, I think the people of South Australia are being abysmally served.

I do not expect any automatic outcome to any measure I introduce to the house. However, on behalf of my electors (and I think it is what every elector in South Australia demands), I expect that this house not make prejudicial, ignorant and biased decisions, but inform themselves, consider any matter carefully and then weigh it up according to its merits. If we are going to elect people to this place whose chief characteristics are ignorance and stupidity, we might as well abandon the parliament as a debating forum and simply say, 'What do you think about this and what do you think about that,' and make irrational decisions on every decision we make.

That is not directed to many members of this house: it is directed towards a few, and those few can be clearly seen in the media. Having not read a bill and going out and saying, 'This is what I'm going to do about the bill,' I think, is an act of folly and stupidity—and an act to which the attention of all electors of South Australia should be drawn. If you are going to predetermine your position on an issue and you know only its title, what does that say for the value of your vote on any other issue before the house, or on the quality of the work you are prepared to put in on any other issue before the house?

So, for those people who are intelligent—and some of them are in this chamber—and are concerned about doing the right thing, I share with the chamber the fact that I have given a date of 8 December. I intend to introduce the bill in some form in the new year when we know the sitting dates. I am quite prepared to discuss the bill with any member of the Labor caucus or any member of my own party room, or any Independent member. I do not think the bill is perfect, and I believe the combined efforts of this house can make it better. However, I do think that it is a genuine attempt to help a disadvantaged group.

I conclude by saying that in 1972—32 years ago—we made homosexual acts between consenting adults legal in this state. The Christian churches did not oppose that legality, saying that it was not a matter for the church but a matter for a secular state because it was a secular matter. What I put before this house is not a marriage: it is a form of contract law, which is equally a matter for this state and which equally addresses matters of human rights for people who for 32 years have been disadvantaged. I ask members opposite to consider this as a bill on human rights, not a bill on gay rights.

HICKS, Mr D.

Ms BEDFORD (Florey): Today I received a letter dated with the words 'Beginning of August' on a single sheet of lined paper. It contained three paragraphs of handwritten sentences, cleared by US Forces on 2 September in Guantanamo Bay, Cuba and was signed by David Hicks. He says that he was happy to have received my letter that was sent via Major Mori and Stephen Kenny at the time of his trial date being set and just before the visit to Cuba by his father and stepmother. He goes on to ask in his letter, 'What response has my situation received in the past when it has been brought up in the South Australian parliament?' I will send him the *Hansard* of all contributions from all my colleagues in both places, particularly those of the members for Colton and Mitchell. He then goes on to say, 'Hearing from supporters is always good for the morale.'

I will write back to tell him that he has the support of many people who are troubled about his plight for many reasons: that he is an Australian citizen languishing in a prison facility without the diplomatic support enjoyed by already repatriated British detainees; he is a victim of abuse, apparently tortured to the point of extracting information that will be used against him; denied basic civil liberties in a world where the rule of law—our system and cornerstone of democracy—has been eroded; and a person about to face a court process universally condemned for its lack of appeal processes and mechanisms. People all over the world have an uneasy feeling about the circumstances David Hicks now faces. Legal practitioners on both sides of the world are prepared to act for him pro bono (that is, without fee).

Before I knew his children were living in the electorate of Florey, I became very concerned about David's capture and detention in the US facility at Guantanamo Bay, itself a legal conundrum. The legal battle sets a dangerous precedence on how our citizens may be treated in other locations around the world where the rule of law is ignored. No-one condones terrorism, particularly the sort that sees people blown up while going about their daily lives in non-combative situations. David's mistake was to be in the wrong place at the wrong time. Too many people continue to speak on his behalf for there not to be more to his story than has already been told through official sources. As is often the case, many things went wrong and snowballed to the extent that no-one feels able to let go and release David into the custody of Australian officials so that he can be returned to his family and country.

I will write back to David and send any letters or greetings other members might wish to forward and let him know that, just as in the parable of the prodigal son, he is cared for greatly by his loving father Terry, that his worth as a loved human being is missed by his family, and also that the community in which he spent his formative years cares about his fate, just as we care for each of our young people, no matter their circumstances. As a compassionate society, we will be judged by the effort we put into ensuring the well-being of those less fortunate or down on their luck.

Today, as we go over to the Governor with our Address in Reply speeches, we are concerned about the state of South Australia and the people living in it. I hope that we can all spare a thought for the South Australians no longer here with us who have been the victims of terrorism or who face, as David Hicks does, an uncertain future. I know that Australian diplomatic sources will be helping the people who face drug charges in other countries of the world, and it would be heartening to know that the same sort of effort is going into rescuing David Hicks from the plight he faces alone. Perhaps all of us could consider that one day we, too, might be in a similar situation, where we would be calling on the strength of the South Australian parliament and the people here to look after our best interests in trouble spots around the world.

Mr GOLDSWORTHY: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

ADDRESS IN REPLY

The SPEAKER: I point out to all honourable members that I propose to call on Her Excellency the Governor with the mover and the seconder of the Address in Reply and such other members of the house who may, in good grace, choose to accompany us.

[Sitting suspended from 3.55 to 4.45 p.m.]

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

A quorum having been formed:

The SPEAKER: For the benefit of all honourable members, whether or not they were able to accompany me and others to Government House, I read the following message from Her Excellency the Governor:

To the honourable the Speaker and members of the House of Assembly: Thank you for your Address in Reply to the speech with which the Governor's Deputy opened the Fourth Session of the 50th Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray for God's blessing upon your deliberations.

SITTINGS AND BUSINESS

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I move:

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

Motion carried.

The Hon. J.W. WEATHERILL: I move:

That the house at its rising adjourn until Monday 25 October at 2 p.m.

Motion carried.

STANDING ORDERS SUSPENSION

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

Motion carried.

COMMISSION OF INQUIRY (CHILDREN IN STATE CARE) (MISCELLANEOUS) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Minister for Families and Communities) obtained leave and introduced a bill for an act to amend the Commission of Inquiry (Children in State Care) Act 2004. Read a first time.

The Hon. J.W. WEATHERILL: I move:

That this bill be now read a second time.

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

Leave granted.

On 5th August 2004 the *Commission of Inquiry (Children in State Care) Act 2004* was assented to by her Excellency the Governor in Executive Council.

The commencement of the Act is yet to be proclaimed. It is anticipated that the Act will come into operation in about mid November 2004. The Government intends to recommend to Her Excellency the Governor the appointment of the Honourable Justice Mullighan as Commissioner to undertake the Inquiry. Subject to Her Excellency's approval, it is expected Justice Mullighan will take up the appointment on 6 December 2004.

In the meantime arrangements are being put in place to enable the Inquiry to commence its work as soon as the Commissioner is appointed. Counsel, a social worker, an investigator and other staff provided for under the Act are being recruited and accommodation is being established.

For the purpose of the terms of reference established under the Act a child in State care is defined as a child who was at the relevant time, a child who had been placed under the guardianship, custody, care or control of a designated Minister or another public official under a relevant Act.

A relevant Act is defined as the *Children's Protection Act 1993* or a corresponding previous enactment dealing with the protection of children.

Since the passage of the legislation the Crown Solicitor has advised that a thorough historical check of the corresponding previous Acts to the *Children's Protection Act 1993* has been undertaken. That process has revealed that prior to 27 January 1966 children who were determined to require protection were not placed under the guardianship etc of a Minister or another public official, but were placed in the custody and control of the Children's Welfare and Public Relief Board under the *Maintenance Act 1926*.

The definition of a child in State care under the Inquiry Act does not extend to children who prior to 1966 were under the care of the Children's Welfare and Public Relief Board. The Board is neither a Minister or public official. Accordingly the Commission of Inquiry has no power to examine allegations relevant to children in State care prior to 1966.

The possibility that the Commission will receive allegations of sexual abuse and possibly the death of children in State care prior to 1966 can not be excluded. It is therefore considered essential that the Commission of Inquiry have the power and scope to deal with these matters . Accordingly the deficiency in the definition of a child in State care should be remedied before the Act comes into operation.

Discussions have taken place with Justice Mullighan and myself together with a number of officers to ensure appropriate arrangements are in place for the Inquiry to be established and for him to take up the appointment immediately upon his retirement.

As part of these discussions Justice Mullighan has drawn my attention to the requirement under the Inquiry Act that the Commissioner conducting the Inquiry must refer information concerning a sexual offence against a child to the Commissioner of Police or the DPP (unless the Commissioner undertaking the Inquiry believes on reasonable grounds that the information has already been reported to the Police).

Justice Mullighan has expressed concern that alleged victims who wish to make submissions or put information before the Inquiry but who do not wish to become involved in a police investigation or prosecution may be deterred from coming forward.

Justice Mullighan considers that it is essential that potential witnesses who are alleged victims and wish to maintain confidentiality should not be deterred from making submissions or providing information to the Inquiry.

As a matter of public policy it is usually preferable that allegations of criminal conduct against children be investigated by the Police. In this case that consideration is, in my view, outweighed by the need to remove any obstacles to individuals coming forward. Those who do come forward will do so for a variety of reasons. Not all will want to endure the hardship and pain caused by a criminal investigation and prosecution. Some will simply want to tell their story and focus on the alleged failure of authorities to act appropriately rather on the conduct of the alleged perpetrator.

In reality there is little point in referring allegations to the Police for investigation if the alleged victim is not willing to cooperate with an investigation or prosecution.

Accordingly, the Bill proposes an amendment to the Act to give the Commissioner undertaking the Inquiry the discretion to accede to a request from an alleged victim of a sexual offence not to have his or her allegations referred to the Police for investigation if it is in the public interest to do so.

I commend the Bill to members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Commission of Inquiry (Children in State Care) Act 2004*

4—Amendment of section 10—Provision of information

This amendment relates to the circumstances where information concerning the commission (or alleged commission) of an offence will not be provided to the Commissioner of Police under the provisions of section 10 of the Act. The amendment will provide that the Commissioner appointed to conduct the Inquiry will not provide information to the Commissioner of Police if the victim has asked the Commissioner not to provide the information to the police or to the DPP, subject to the exception that the Commissioner may "hand on" the information if the Commissioner considers it in the public interest to do so.

5—Amendment of Schedule 1

This amendment will alter the definition of ***child in State care*** so as to include a child who was under the guardianship, custody, care or control of the former body corporate known as the *Children's Welfare and Public Relief Board*.

Mr BROKENSHIRE secured the adjournment of the debate.

CORRECTIONAL SERVICES (PAROLE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

ELECTRICAL PRODUCTS (EXPIATION FEES) AMENDMENT BILL

The Hon. P.F. CONLON (Minister for Energy) obtained leave and introduced a bill for an act to amend the Electrical Products Act 2000. Read a first time.

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

That this bill be now read a second time.

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

Leave granted.

This Bill amends section 6(1), (2) and (3) of the *Electrical Products Act 2000* to make offences against each of those subsections expiable under the *Expiation of Offences Act 1996*. Currently such offences must be prosecuted in the Magistrates Court.

Various classes of electrical products have been proclaimed under section 6 (1), (2) and (3). The products proclaimed and the Standards those products must meet are generally the same throughout Australia so as to ensure a nationally consistent safety, energy efficiency labelling and energy performance regime for electrical products.

Section 6 is one of the core provisions of the Act. Subsections (1) and (3) prohibit traders from selling electrical products of a class proclaimed unless those products have, under authority of the Technical Regulator or under the authority conferred by an interstate corresponding law, been correctly labelled so as to indicate their compliance with the applicable Safety and Performance Standard and/or Energy Efficiency Labelling Standard. Similarly, section 6 (2) prohibits traders from selling electrical products proclaimed to be subject to minimum Energy Performance Standards (***MEPS***) requirements unless those products have been registered as MEPS compliant.

Section 6 offences may be committed in a number of ways. For example, in the case where a Safety and Performance Standard applies, no certificate of authority to label the product may have been granted by the Technical Regulator as required by the regulations; alternatively, a certificate of authority to label may have been granted (as the product has been demonstrated to comply with the applicable Safety and Performance Standard) but the products may have been exposed for sale without the required labels.

The costs of mounting a prosecution are large. In these circumstances, an offending trader can feel reasonably secure that no prosecution will be initiated if the offence is one at the lower level of seriousness. For example, although the requirement to attach a required label is an important component of the legislative scheme, the costs of prosecuting such an offence will often be prohibitive given the limited resources available for the administration of the Act.

It is expected that the ability to issue an expiation notice to an offending trader will encourage future compliance by that trader and will more generally increase compliance without increasing the costs of administering the Act.

Members will appreciate that a trader given an expiation notice may dispute the notice under the *Expiation of Offences Act* and, under that Act, may also elect to be prosecuted for the offence. It should also be said that the policy intention is that very serious or repeated breaches of the Act would be prosecuted in the Magistrates Court rather than be the subject of an expiation notice.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal

Part 2—Amendment of *Electrical Products Act 2000*

3—Amendment of section 6—Trader must not sell declared electrical products unless labelled or registered

This amendment proposes to insert an expiation fee of $315 in relation to each of the offences created under current subsections (1), (2) and (3), thus allowing those offences to be expiated.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

GAMING MACHINES (MISCELLANEOUS) AMENDMENT BILL

In committee.

(Continued from 13 October. Page 427.)

Clause 7.

Mr HANNA (Mitchell): I would like to ask the minister about the effect of opposing clause 7. My first inclination is to do that because I want to ensure that a freeze on the issue of new licences continues. At the moment, as the minister is aware, there is a freeze which, according to the principal legislation, expires on 15 December 2004. I have accepted that the House of Assembly voted last night to allow transferability of machines for those who want to increase the numbers in their particular venue, but I want a freeze on new machines to continue—in other words, for there to be a cap. That is why I was pleased to support the original motion of the member for Colton in relation to clause 7 last night and why I believed I was lending a generous hand to the existing gaming machine licence holders, to an extent, because a cap no doubt assists them preserve the value of what they have.

Nonetheless, I am not entirely sure, I confess, whether the bill as it is, allowing for clause 7 as amended to stand (as it was left last night), ensures that there will not be new gaming machine licences issued. That is what I want to see, but I would like the minister to indicate whether the deletion of clause 14A of the principal legislation nonetheless allows some sort of a freeze to continue. I cannot see it, but the minister can enlighten me on that.

The Hon. M.J. WRIGHT: I think I can answer the member for Mitchell's question. If I do not, I invite him to come back with a further question. He has asked about new

licences. New licences can be issued but there will be a stricter social impact test if this bill is successful. Also, I think related to what the member for Mitchell was asking, the bill limits the number of machines by limiting the number of entitlements.

Mr HANNA: How can it be that there is a cap on entitlements without there being a cap on the number of machines? Is the minister suggesting that people can get new gaming machine licences but they will not be any good because they will not have entitlements? I do not understand the minister's answer from that point of view.

The Hon. M.J. WRIGHT: I hope I can clarify it. You can get a new licence and then you can get new entitlements.

Mr HANNA: That has clarified it. In other words, and this is fundamental to this piece of legislation, the government is putting forward a proposition to cut 3 000 poker machines. As soon as this is passed and assented to, potential hotel owners around the state can go out and seek new machines and new entitlements, so they can go and get 3 000 licences again and use them. That is what I understand from the minister's answer.

Members interjecting:

Mr HANNA: Well, can the minister clarify that, because that is how I understand his answer?

The Hon. M.J. WRIGHT: My answer was correct, but you have to buy from the existing pool. What I said was an answer to your question, and the question was about new licences. You can get new licences. They can be issued with a stricter social impact test. You also asked a related question and I said the bill limits the number of machines by limiting the number of entitlements and you have to buy those from the existing pool.

Mr HANNA: I know I have been asking a couple of supplementary questions to clarify this, but can the minister confirm that, if the bill is passed with the amendments that he would like to see added to it, the total number of machines in South Australia, let us say it is about 15 000, will be cut to about 12 000 and there cannot be any more than that number, whatever it is precisely?

The Hon. M.J. WRIGHT: Yes, I can categorically confirm that. That is exactly what this bill will do.

Mr BROKENSHIRE: I understand that the minister is trying to answer the member for Mitchell's question. It would be good for all members if this was precisely described to the committee now. My question is further to the question asked by the member for Mitchell. One would hope that, in time, there will be some growth in this state's population and that some of the land currently reserved for subdivision does see development opportunities for South Australians. Whether or not one likes them, there is an argument that says that poker machines will be around forever. It is important to get this point on the public record because, from the media this morning, it seems that some people in the community think that one day there will be no poker machines. Realistically, no matter what happens, there will be poker machines.

Mrs Geraghty: No-one believes that.

Mr BROKENSHIRE: There will be poker machines forever and a day from now on. Just understand that, and let us all talk the same language when we are out in the community instead of confusing people. Given that there will be poker machines—

Mrs Geraghty interjecting:

Mr BROKENSHIRE: No, it has nothing to do with sides: it is about getting the right message out to the community, that is, forever and a day into the future of South Australia, people will be able to play pokies in licensed gaming venues.

This bill is simply about cutting back the number. Given that there will be some future growth on greenfield sites, there is an argument to the effect that, if they want to, people who will live in those greenfield sites should be able to play poker machines as do other South Australians. Will the minister explain to the committee exactly how a greenfield site hotelier would be able to procure gaming machine licences to set up a new venue? That is what the member for Mitchell wants to know, and I think that we need that spelt out clearly in this bill. Further, in relation to licensed clubs, I gather that the minister is absolutely adamant that the trading pool within Club One can only ever be for licensed clubs and cannot drift into the grey area of community hotels. I seek an answer from the minister about that.

The Hon. M.J. WRIGHT: It is not that hard. I have already answered the member for Mitchell. The member for Mawson may well want to ask a series of questions about the same issue, and that is fine; that is fantastic. It is very simple. In terms of a greenfield site one would need to get a new licence and purchase in the trade system. It is pretty simple. I am not sure how that relates to clause 8, however.

The CHAIRMAN: Just to clarify this, my understanding is that a freeze remains until it is changed by law. You then have the reduction by 3 000 and then that reduced number is capped. Is that how it works?

The Hon. M.J. WRIGHT: Yes; effectively it is capped because there are no more new machine entitlements.

The CHAIRMAN: So, it is a freeze, a reduction, then a cap at the reduced level?

The Hon. M.J. WRIGHT: Effectively, yes.

Mr BROKENSHIRE: In respect of the greenfield sites and the pool, can the minister confirm to the committee that, when we get to the trading pool, which will be ongoing after poker machines are reduced by 3 000—and the way in which this piece of legislation is going we will all be 60, 70 or 80 years old before that happens, but one day it will happen—there will be a sole agency for the management of the sale of those machines? If indeed there is a sole agency, can the minister confirm that the commission for having the privilege of the sole agency and the onerous task of managing the sale of these machines will be 33.33 per cent?

The Hon. M.J. WRIGHT: The government will be responsible for the sale process and, yes, the commission will be 33.33 per cent after the 3 000 cut is achieved.

Mr BROKENSHIRE: I gather that proper legal assessment has been made to ensure that the government has the right to set up the sale structure in this way, to be the sole agent forever and a day, and to take 33.33 per cent of the sale of that machine as commission. I do not recall any other sale of any commodity where any agent would ever receive anywhere near 33.33 per cent. I ask the minister to explain to me the rationale behind this government's taking a sole agency in the legislation on the trading pool management and what Treasury put to the minister to justify that it would cost 33.33 per cent of a $50 000 machine. It is not a bad commission. I would not mind the business. You would not have to sell many machines each year to enable you to have a lot of fun and spend half the year on the Gold Coast or around Port Douglas. How did the minister, his department and Treasury work out that it would cost 33.33 per cent to administer a $50 000 sale? Can the minister confirm whether this is another backdoor way for this addicted government—the biggest gambling addict in the history of South Australia,

namely the Rann Labor government—to get even more revenue out of the gaming industry?

The CHAIRMAN: I ask members not to engage in provocative statements. We had a wonderful night last night—or this morning—we do not want to spoil it now.

The Hon. M.J. WRIGHT: I thank the member for his third question on this clause. There are taxes on property transfers all the time. The member for Mawson, I think in his second reading contribution—and I do apologise and I stand to be corrected if I am wrong—but certainly at some stage, made comments about what this government has and has not done in respect of problem gambling.

Mr Brokenshire: Absolutely.

The Hon. M.J. WRIGHT: Absolutely. He has confirmed that, so I appreciate the interjection. I bring to the attention of not only the member for Mawson but also all members of the house (and this is statistical data which I understand can be provided in case the member for Mawson has any questions—there is always the easy ask from the cheap seats about more money) that since this government came to power we have increased the Gamblers Rehabilitation Fund by 174 per cent. We can get all of that. It highlights, more than anything else, how much the former government put into the Gamblers Rehabilitation Fund. And guess where the commission is going—into the Gamblers Rehabilitation Fund—the one about which the member for Mawson cries crocodile tears, the one for which the member for Mawson criticises the government because he cries crocodile tears that we are not serious about problem gambling. Well, this government has increased the Gamblers Rehabilitation Fund—that money that goes out for counselling—by 174 per cent compared to the former government. Where is the commission going?

The CHAIRMAN: Order! I think the minister has made the point. It is getting repetitious.

Mr BROKENSHIRE: I have a very important supplementary.

The CHAIRMAN: Order! I encourage members not to go down the path of unnecessary provocation. Let us deal with the bill. We have got other measures to deal with.

Mr BROKENSHIRE: Statistics, statistics and damn lies is what we hear all the time. Given that a $405 million taxation grab on the gambling industry is projected this year by the government, and comparing the last gaming tax revenue from the Liberal government to today's, what does the 174 per cent increase equate to in dollar terms? I would like that figure, given that the minister has put it in percentage terms, because we need to understand that 174 per cent, when you come off a small base, is not necessarily a lot of money. Can the minister guarantee that the commission from the sole agents, DAIS (a great department), will be increased money to the fund, or will it be supplementing some of the other money that was already going into the fund?

The Hon. M.J. WRIGHT: I am absolutely delighted to give the member for Mawson those figures. The advice I have been given is that the former government put $800 000 into the Gamblers Rehabilitation Fund, and, again according to the advice I have been given, this government puts in $2.19 million.

The CHAIRMAN: Order! I think the minister has made that point.

The Hon. M.J. WRIGHT: He asked me two questions. Do you not want me to answer his second question?

The CHAIRMAN: I do not think that it is necessary to give the answer twice or thrice.

The Hon. M.J. WRIGHT: He asked me two separate questions. I have answered his first question. If you do not want me to answer his second question, I will sit down and let the member for Davenport ask it.

The CHAIRMAN: You can answer his second question, but I do not think that there is a need to repeat every answer or do it three times. The minister is free to answer the question. If not, I will call the next member. Or will we all go home?

Mr Brokenshire: Is it additional?

The Hon. M.J. WRIGHT: It is new money. I was happy to answer that question. There are two questions, and I am happy to give two answers.

The Hon. I.F. EVANS: My understanding is that the 33 per cent commission will kick in after the 3 000 reduction. What is the time frame that has been estimated when the commission will first be charged? In other words, how long do you think it will take before you get to the 3 000 reduction, and what is the range of estimates of the annual amount that is expected to be raised by the 33 per cent commission? Therefore, we can work out what is the annual amount of trade that is expected in gaming machines.

The Hon. M.J. WRIGHT: I thank the member for Davenport for his question. There is no estimate of those types of things about which he has asked. This is obviously up to the market and it depends on who chooses to sell.

The Hon. I.F. EVANS: Given the fact that the minister has made a big play that the 33 per cent commission will go into problem gambling, what is the government's intention if in, say, five years time there has been no trade and therefore no extra money through commissions put into problem gambling? Is it the government's intention to top that up?

The Hon. M.J. WRIGHT: That is a very good question, and I expect nothing else from the member for Davenport. There will be tradeability, but the hypothetical question, which is obviously sometimes part of the tactic of the member for Davenport, is that we will do what we always do and treat very seriously the issue of problem gambling. As I have already identified, we have increased the amount in the Gamblers Rehabilitation Fund from $800 000 to $2.19 million.

Members interjecting:

The Hon. M.J. WRIGHT: They do not like the answer because they know they stand condemned for the paltry amount they put into the Gamblers Rehabilitation Fund compared to what this government has put in. To the best of my memory, in the last budget we increased the Gamblers Rehabilitation Fund by $300 000 and we indexed it. If the former government was so serious about this, why did it not do that? It had $800 000 in the Gamblers Rehabilitation Fund. We have $2.19 million and they still want to be critical.

The CHAIRMAN: We are ploughing the same ground. The member for Davenport.

The Hon. I.F. EVANS: Earlier, in clarification of a answer to the member for Mitchell, there was mention of a licence and an entitlement. Is it possible under the act for the government to set a licence fee and set a different entitlement fee?

The Hon. M.J. WRIGHT: My advice, which I will check for the honourable member, is that there is probably a small licence fee. There is no fee for entitlements.

The Hon. I.F. EVANS: With due respect to the minister, that was not the question. Is it possible under the bill that there be a licence fee? The minister has confirmed that there

is a small licence fee. He says there is no entitlement fee. Is it possible to set an entitlement fee?

The Hon. M.J. WRIGHT: No.

Members interjecting:

Mrs HALL: Business friendly government—you have to be joking! I am seeking information on the methodology of the sale of the actual machines we are talking about. I do not want to predict the outcome of further amendments, so for the purpose of this question I am working on the more than 2 600 machines at this stage that are coming out of the system and going into the pool. Will the minister take us through the structures in place to provide for the sale of those machines? I have carefully read the bill and the amendments and listened to the advice that has been given to us, but I think there is some confusion about the methodology of the sale and how the purchase of the newly compulsorily acquired machines will work. How is that formula going to be addressed? Say in the first tranche 1 000 machines go on the market and you get 1 500 expressions of interest, how will that methodology work and be managed until all the machines have been accounted for—in the first tranche?

The Hon. M.J. WRIGHT: I am happy to go through that, but I am not sure why we are being asked questions of this nature when they do not relate in any way to this clause. However, so be it. Under the model, the sellers nominate entitlements for sale; the buyers lodge notification of desire to buy. The venues that lose greater than 20 per cent of machines have first option to buy back up to that 20 per cent. Venues that have lost machines have an option to buy back to a previous approved amount. Each, in turn, is offered a machine until stocks run out. If there are not sufficient to offer, it would randomly then be balloted. I understand that is what the AHA has asked for, and that is what we have put into the bill.

The Hon. D.C. KOTZ: I would like to ask for a point of clarification from the minister in relation to an answer that he gave to the member for Davenport about licence fees. I have heard some derogatory comments about fees for licences, but I must have missed the expectation that the government would also place fees on specific licences. If it is intended to place a fee on a licence, I presume that will be done through regulation. The minister said it would be a small licence fee. When this government talks about dollars in terms of poker machines and the hotel industry, the minister and I might not necessarily interpret the word 'small' in the same way. Will the minister indicate whether any judgment has been made in terms of licence fees? Will this matter be looked at in terms of a percentage, or has a fee already been set in place?

The Hon. M.J. WRIGHT: I apologise if I have not clarified this well enough. We will seek more details and come back on that. Following on the question from the member for Davenport, I was advised that there is a small licence fee in operation now, and there is no proposal to change that in this bill. I am happy to get further details for the honourable member. At this stage, I am relying on advice. There is no proposal to change this small licence fee in the bill, whatever it is, but I will get that detail for the honourable member.

The Hon. D.C. Kotz: Or by regulation?

The Hon. M.J. WRIGHT: No. It might be in there as a regulation at the moment, but there is no proposal to change it. There is a small fee, but we are checking on how much it is.

Mrs HALL: Regarding the random allocation of these newly acquired machines into the pool, what supervising authority will handle that, and what is the composition of that authority?

The Hon. M.J. WRIGHT: DAIS would be responsible, and the Liquor and Gambling Commissioner would oversee it for probity and regulatory reasons.

Mr BROKENSHIRE: Following on from the member for Morialta's question, the minister, in his response, said that the methodology and the structure of the sale is in the bill. I have not been able to find that, although it may be that I have missed it. I also understand that the way you are advocating marketing and managing the sale of these machines before and after you get to the 3 000 reduction has already changed once. If the methodology and structures around the sale are, indeed, not in the bill can the minister advise whether or not he would be prepared to accept an amendment whereby they go into the bill, so that everyone knows once and for all how this sale process and structure will work?

The Hon. M.J. WRIGHT: This is not the type of thing that would be put into legislation because there are a lot of conditions. It is complicated and it is the type of thing we deal with all the time. We put them into regulations for those reasons. I do not intend to propose such an amendment because it would simply be nonsense.

The Hon. I.F. EVANS: The way I understand this sale process is that venues that have reduced machines will then be offered them back, a single machine at a time, on a rotating basis. Is there, then, anything to stop a hotel or other commercial party coming to a commercial arrangement with a hotel or a venue that may not be able to finance the repurchase of the machines that they are offered whereby they leave those machines there and have a contractual arrangement about what happens to the revenue stream?

The Hon. M.J. WRIGHT: The simple answer is yes, there is a prohibition on this. We are just trying to find it, so I will be able to show you where it is in the legislation in a moment. Going back to the question asked earlier by the member for Newland, I advise that the licence fee is $370.

Mrs HALL: Minister, I want to come back to the random selection you have outlined thus far. I want to put to you a hypothetical situation you might be able to take us through. You have stressed on a number of occasions the issue of the random selection. Can I put to you that, if hotel X has submitted an application to purchase and misses out on the first tranche of the allocations, is it possible that hotels A, B and C are perhaps able to get the second and third machines before hotel X gets one because of the random nature of the allocation?

The Hon. M.J. WRIGHT: As I hope I said earlier—and, if I did not, I apologise—everyone is allocated one, and then you keep going through it. The random selection cuts in if and when you get to a point where not enough entitlements are left for all those who are bidding for it.

Mr HANNA: I want to point out that in new section 27D, quite clearly the approved tender system is something that is yet to be created in regulations; it is not in the legislation. So, what the minister is describing is something that is perhaps going to happen: it is not there in print at present.

The Hon. M.J. WRIGHT: In response to the member for Davenport's earlier question, I advise that section 68 of the act provides that it is an offence for gaming machine licensees to profit share.

Clause as amended passed.

Clause 8.

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

Page 5, lines 23 and 24—New subsection (5)(b): delete 'or criteria established' and insert 'issued'

This is the first of my amendments and, if I may say so, it is a very good amendment indeed. This is something which has been put to me by the AHA and which I gave very careful consideration. As I have said previously, as Minister for Gambling, I would entertain amendments only if they did not dilute the bill. As members well know, the government has picked up all the recommendations made by the IGA. However, I have to say that the AHA put up a good and sound argument. I am sure that the member for Morialta will support this amendment, because the amendment that she—

Mrs Hall: Never presume that I will support it.

The Hon. M.J. WRIGHT: No; I know that the member will support this amendment. There is no way in which the member could not support this amendment after having moved her amendment to which she spoke last night. I need to explain this amendment to members so that I can galvanise their confidence further than I already have done. As I said, this is my first amendment. If it is successful, consequential amendments relating to this amendment will be moved. The Liquor and Gambling Commissioner must have regard to the Independent Gambling Authority guidelines before it issues applications for new games and new gaming machine licences. This first amendment is of a technical drafting nature, similar to the way in which we handled the amendment moved by the member for Enfield last night.

I am trying to explain that this is technical, and the principle is as follows. Taken together, the amendments make those guidelines to which I referred a moment ago disallowable by the parliament. What I am saying is that you let the IGA make the decisions on responsible gambling, and parliament can disallow them if it wants to. The amendment removes the words 'and criteria established,' as the IGA issues guidelines only. As I said, there will be a series of these, but it is all related to that concept. I think it is a good, sound argument which has been made by the AHA and which we should pursue. It in no way compromises the bill that has been put before the parliament. I can recommend it to members. As I said earlier, this series of amendments makes those guidelines disallowable by parliament.

Mr BROKENSHIRE: As I understand it, what the minister is saying is that any guidelines that the Independent Gambling Authority may put forward in the form of codes, or whatever, will now have to come before the parliament for its consideration and, if the parliament does not support those guidelines, I gather what the minister is saying is that the guidelines from the Independent Gambling Authority will not be accepted, no matter what form they come in. Does he therefore mean that, under the Subordinate Legislation Act 1978, they will be laid before the parliament and that they will be subject to disallowance? Is that what the minister is saying?

The Hon. M.J. WRIGHT: You have got it in one.

Mr BROKENSHIRE: I advised the Chairman that I would be supporting this clause, but I think it is important for the public record, in supporting this, that the minister explains to me why he has done a turnaround.

An honourable member interjecting:

Mr BROKENSHIRE: And to the committee. The minister said that, basically, he wants to keep the bill in its entirety—how he tabled it—but then he went on to say that this is a minor amendment. To me, this indicates, as I have already said, that disallowance under the subordinate legislation will be able to occur. Already during this debate (and this is the only the fourth amendment that we are now dealing with, some eight or so hours into the debate) many members have expressed concern about the Independent Gambling Authority. Does the minister, therefore, now confirm to this house that, by moving this amendment, he also has concerns about some of the recommendations and guidelines of the Independent Gambling Authority and wants this in as a check and balance to ensure that we can correct some of the work that is simply not correct that the Independent Gambling Authority has been putting through with the industry thus far?

The Hon. M.J. WRIGHT: No, I do not. As I said when I made my argument for the amendment, representatives of the hotels association (very good advocates that they are; they are very professional, and I have been delighted to meet with them on at least six occasions over a range of weeks in respect of this bill) made a sound argument. They are being rewarded because they have convinced me of the merits of their argument. It in no way dilutes the recommendations of the Independent Gambling Authority. It is a sensible amendment, and it is one that I would have thought all members would readily applaud.

Mr HAMILTON-SMITH: I was up in my office listening to the minister earlier talking about the Gamblers Rehabilitation Fund and the amount of money that this government had contributed compared to the former government. While it remains relevant to clause 8, I was concerned that the minister said that the former government had put in about $800 000 and that this government was putting in $2.1 million. I had a letter from the Premier in which he said that this government had increased the amount of funding in the fund by $1 million to $3.3 million which, to me, seemed to suggest that there must have been $2.3 million already in that fund, and that this government had increased it by $1 million. That does not seem to line up with the figures that the minister just gave the committee. Could he clarify that?

The Hon. M.J. WRIGHT: This is not really about the amendment but, obviously, we have to give some special latitude on this occasion. No doubt, as busy as the member has been, he has not caught up with the most recent budget where I have already made the point that we put in an additional $350 000. I would expect that, if you put all those figures together, we are probably talking about the same amount of money.

The CHAIRMAN: The committee should be focused on the amendment and the clause. The chair is being very tolerant.

Mr HAMILTON-SMITH: It would have been helpful if the minister had coordinated with the Premier before coming in and giving the committee those figures because they do not line up with what the Premier had to say. I am interested in the amount of gaming revenue that will be gathered under clause 8 and all other clauses because my understanding is that, in the last term of the former government, gaming revenue was something in the order of $200 million, but the tax raised by the current government is nearly double that, or substantially more. I wonder about this increase in funding that the minister has just said this government has put in. Has that all come from Treasury? Is that actually new money or has it come from the Independent Gambling Authority from some other already budgeted source? Is it genuinely new money that has been added in?

The Hon. M.J. WRIGHT: All the additional money has come from the government.

Mr Hamilton-Smith interjecting:

The Hon. M.J. WRIGHT: New money. The Liberal government put in $800 000. The Labor government is putting in $2.19 million of new money, which makes it a 174 per cent increase. It is new money.

Mr Brokenshire: How much has gambling tax increased over that period?

The Hon. M.J. WRIGHT: That is not the question he is asking me.

The CHAIRMAN: Order! One person should ask a question at a time.

The Hon. M.R. BUCKBY: I refer to clause 8(2)(5)(a), which provides:

> the Commissioner must. . . have regard to the likely social effect of the grant of the licence on the local community and, in particular, the likely effect on problem gambling within the local community.

Are you aware of how the Commissioner is going to measure that particular function or the guidelines to be set for him to come to a decision about how he is going to measure the impact on the community?

The Hon. M.J. WRIGHT: The IGA will issue guidelines. It says that in subclause (5)(b).

The Hon. M.R. BUCKBY: Is the government setting any directions to the IGA in terms of what particular criteria it might take into account when they set those guidelines?

The Hon. M.J. WRIGHT: No; of course the government would not be issuing those instructions. It does not have the power to do so, anyway. These guidelines are disallowable.

Mr BROKENSHIRE: Forgive me for not knowing this, but I am sure the minister will know. Does it have to be a disallowance of both houses of the parliament, or can one house alone allow the disallowance and then have that disallowance hold?

The Hon. M.J. WRIGHT: Well, I am surprised the honourable member does not know, but one house can do it—and the honourable member has been here longer than I.

Mr HAMILTON-SMITH: This amendment, the deletion of the words 'criteria established', if I understand the minister correctly, flows from recommendations from the AHA that the former wording was too woolly and broad and potentially too dangerous in that the Commissioner would simply be able to make some sort of broad criteria that was not clearly a directive to the hotels. I gather the thrust of this amendment is to protect stakeholders from abuse of power by the Commissioner where he might just issue some sort of general criteria and the proprietors would be responding to something that is other than a clearly issued guideline? Is that the general thrust of the amendment?

The Hon. M.J. WRIGHT: The short answer to the question is no. It is about disallowing the guidelines. As I said earlier, the honourable member may not have been here at the time—he may have been listening in his office—but there are a number of amendments which all relate to this one. This first amendment is technical in nature; it is parliamentary counsel clarifying the wording and it ties in with the disallowance provision. This amendment is technical. The concept is about providing disallowance of the guidelines. There will be a series of points through this bill that are consequential to this particular concept that I am moving.

Mr BROKENSHIRE: New section 15(1a) provides:

> Club One is eligible to hold a gaming machine licence for particular premises if it holds a licence under the Liquor Licensing Act 1997 in respect of the premises as required by subsection (1).

Is it the intention of the government to have any input into fees and structures around how Club One holds a gaming machine licence, given that it will hold a pool of gaming machine licences that will have adverse or positive effects on individual clubs? What checks, balances and protection will the government have, or will it be left to Club One management?

The Hon. M.J. WRIGHT: They will have the same regulatory and probity controls as everyone else. They will come under the jurisdiction of Bill Pryor, just as everyone else does.

The Hon. I.F. EVANS: Will they not have a slightly different regulatory environment? The way I understood the minister's previous answer was that the hotels will not be able to revenue share out of their gaming machines; in other words, a third party hotel will not be able to pay or come to a commercial arrangement with another hotel to share the revenue out of the second hotel's machines, but with Club One that is indeed possible. Therefore, they have different regulatory arrangements, do they not?

The Hon. M.J. WRIGHT: What you are talking about in practice is true. Club One will be able to distribute its profits. From a big picture point of view, the regulatory and probity controls will apply, but I do not disagree with what you are saying about how Club One will operate in practice.

The Hon. I.F. EVANS: Can the minister explain why one owner of a gaming machine will be able to distribute the profits, in his words, and another owner of a gaming machine that is a for-profit entity will not be able to share? Why is there a difference, given that they are both selling the same product? They are both selling access to a gaming machine. They are both going to be licensed and will probably both have meals. It is exactly the same service. One is a for-profit entity and one is a not-for-profit entity but makes significant surpluses, I have no doubt. Why, then, are they treated differently?

The Hon. M.J. WRIGHT: Put quite simply, they have different taxes, as the honourable member would know. Club One is about supporting the club industry. It is what the clubs wanted. It is what the IGA has recommended.

The Hon. I.F. EVANS: Does the minister think it is fair? Take the new gaming venue down at Morphettville racecourse, the Auditorium. That will be run by a not-for-profit entity and could easily be run by Club One. Why is it that that venue can profit share and the pub across the road is going to be treated differently? Why is the minister legislating for that circumstance?

The Hon. M.J. WRIGHT: I have already answered the question. Club One is a proposal that has merit to give those benefits to the clubs. It is something that was argued by the clubs. It is something that the IGA recommended and we have accepted that recommendation.

The Hon. M.R. BUCKBY: Will Club One, if it has a management group or a management structure that is administering the Club One group, be able to take out a management fee prior to the distribution of profits? Let us say that it earns $1 million and the management fee is $100 000: is it able to take that out? How will that work?

The Hon. M.J. WRIGHT: Club One is a non-profit entity. It will have to have its charter, which is approved by the commissioner before he will grant it a licence.

The Hon. M.R. BUCKBY: Will it be possible for a for-profit group to come into Club One and be involved in Club One and a not-for-profit group to be associated with a profit group? For instance, if the Coomandook Footy Club wants to be attached to its local hotel, is that going to be possible?

The Hon. M.J. WRIGHT: Club One has drawn up a draft charter, which would not permit a hotel investing in it.

The Hon. D.C. KOTZ: In terms of Club One and the draft charter that the minister is talking about having just been drawn up, obviously none of us here has had an opportunity to peruse what that charter may contain or just how it is going to be able to administer, or the relative terms it may have relating to financial distribution, whether under management fees or any other fees. Does the minister intend to look at the charter in terms of using it in regulation or will this charter be set aside under Club One as a form of guideline charter specifically for that? It looks as though it will not appear in legislation, so will it appear in regulation and, therefore, have some form of government control through that regulatory process, or will it be a stand-alone charter purely for the administration of Club One?

The Hon. M.J. WRIGHT: I may not be able to answer all six questions, but I think I can answer the main issue about which the member for Newland asked. This will be a matter for the Liquor and Gambling Commissioner. He will have to approve the charter, and he will have to do so taking account of his responsibility on behalf of government for the regulatory and probity controls.

The Hon. D.C. KOTZ: In relation to the minister's answer, in terms of the Commissioner's responsibility to approve the guidelines in respect of the administration of Club One, does the government intend to regulate any criteria for those guidelines for the Commissioner, as I believe that they are not addressed in the bill? Because government policy will dictate what the eventual criteria and guidelines may be, will the minister look at the regulations for those guidelines, or is that again singularly a decision that will be made through the commission, or the Commissioner, to prepare those guidelines purely on his acceptance?

The Hon. M.J. WRIGHT: Clause 11 sets out a number of requirements in respect of Club One.

Amendment carried; clause as amended passed.

Progress reported; committee to sit again.

MEDIA REMARKS

The SPEAKER: A matter has been drawn to my attention of the most serious gravity in the way in which it infringes on the parliament and the good standing of this chamber by ABC journalists in the course of their remarks on radio this morning. I have reviewed the transcript in which Matthew Abraham and David Bevan tried to get the member for Unley to make adverse remarks, and made adverse remarks themselves, about the state of sobriety of members in the chamber last night. I saw no-one in this chamber whom I regarded as being affected as a consequence of having had too much to drink.

It has been reported to me that later in the morning, a caller, at 11.10 a.m., said that he had heard that members were in some measure or other affected as a consequence of having had too much to drink, whereupon Matthew Abraham responded by saying, 'Ron, thank you. The booze down there is cheap as well. It is subsidised still—one of the little perks of the office. It is now 11.11 a.m.' That is untrue, and, in consequence of its being reported to the public in such an untruthful and derogatory manner, I feel compelled, even at this late stage today, to deal with it and, accordingly, to draw it to the attention of members of this chamber and to do such other things as they may choose to instruct me. In order to enable us to consider it, since I recognise the member for MacKillop, is the minister prepared to move that we extend beyond 6 p.m?

The Hon. M.J. WRIGHT (Minister for Administrative Services): I move:

That the sitting of the house be extended beyond 6 p.m.

Motion carried.

Mr WILLIAMS (MacKillop): The matter you have raised before the house was brought to my attention earlier in the day, and I was somewhat outraged at the information which was conveyed over the airwaves by the ABC journalists and which is totally inaccurate. I have been a member of the JPSC representing this chamber for the first two years of this session, and I know that the information broadcast is totally inaccurate, and that is why I was outraged. It brings disrepute upon the whole of this parliament to have that sort of misinformation broadcast across the state. I note that standing order 133 might be one way that we could address this, but I am going to suggest to you, sir, and the chamber that I move that you, as Speaker of the chamber, write to the manager of the ABC demanding that the journalist involved publish an apology and a retraction. I also suggest that a similar letter be written to the press council pointing out what has occurred. I think that this is a most serious matter. Members of this house, to a man and woman, do whatever they can to further the aspirations, wants, desires and needs of their constituents and we, unfortunately, from time to time are laid upon by many brickbats. Our work is not encouraged or helped by this sort of behaviour by the media. I take the dimmest view of that. Sir, I will take your guidance, but I am prepared to move that you, on behalf of the house, take action as I have outlined.

The SPEAKER: It is in order for the honourable member or any honourable member to move that the Speaker write to the manager of any agency within the media drawing attention to standing order 133 and remonstrating with them about where there may have been a breach of that standing order by any journalist. For the benefit of honourable members, to remind them should they not be clear on the wording of that, I will read it:

A member who complains to the house as a breach of privilege about any statement published, broadcast or issued in any manner whatsoever is to give full details that are reasonably possible and be prepared to submit a substantive motion declaring the person or persons in question to have been guilty of contempt.

I take it that, at this point, the member for MacKillop does not wish to proceed to try the incident and find the journalist guilty of contempt but, rather, for the Speaker, on behalf of the house, to put the proposition to both the manager and the press council, drawing attention to the very serious nature of the grossly untrue and inaccurate statement made by the journalist and to the offensive manner in which they sought to coerce the member for Unley into stating that there were some members in the chamber affected by liquor of some kind after unduly and unnecessarily imbibing in it in quantities sufficient to cause such inebriation. I shall do so if the member moves accordingly. It is in order for him to do so.

Mr WILLIAMS (MacKillop): I move:

That the Speaker write to the manager of the ABC and to the press council pointing out the house's displeasure and seeking a public apology and correction.

Motion carried.

ADJOURNMENT

At 6.06 p.m. the house adjourned until Monday 25 October at 2 p.m.