

HOUSE OF ASSEMBLY

Tuesday 30 May 2006

The **SPEAKER (Hon. J.J. Snelling)** took the chair at 2 p.m. and read prayers.

CLERK, ABSENCE

The **SPEAKER**: I advise the house that during the absence on leave of the Clerk, and pursuant to standing order 24, the Deputy Clerk will perform the duties of the Clerk, and that pursuant to standing order 25 I have appointed the Sergeant-at-Arms to perform the duties of the Deputy Clerk.

TAXATION

A petition signed by 1 149 residents of South Australia, requesting the house to urge the government to introduce legislation to establish an independent inquiry into property-based taxation, raise the land tax threshold, prevent bracket-creep and review the effects of the tax on the community, was presented by Ms Chapman.

Petition received.

HOSPITALS, NOARLUNGA

A petition signed by 264 residents of South Australia, requesting the house to urge the government to provide intensive care facilities at Noarlunga Hospital, was presented by Ms Chapman.

Petition received.

TRAFFIC LIGHTS

A petition signed by 57 residents of South Australia, requesting the house to urge the government to urgently improve the safety of drivers and pedestrians with the installation of traffic lights at the roundabout located adjacent to Tea Tree Plaza and Modbury Public Hospital, was presented by Ms Bedford.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Premier (Hon. M.D. Rann)—

- Remuneration Tribunal, Determination and Report—
No.7 of 2006—4WD Vehicle Request—Mount
Gambier Resident Magistrate
- No.8 of 2006—Deputy State Coroner—Full Time

By the Treasurer (Hon. K.O. Foley)—

- Economic and Finance Committee, Government response
to Fifty-Eighth Report entitled—Public Liability
- Regulations under the following Acts—
Superannuation—Elections
Superannuation Funds Management Corporation of
South Australia—Votes

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

- Development Act—Section 49(15)—Removal of a
Significant Tree at Wandana School, Cowra Avenue,
Gilles Plains.
- Third Party Premiums Committee Determination March
2006 Statement of Reasons

By the Attorney-General (Hon. M.J. Atkinson)—

- Regulations under the following Acts—

- Listening and Surveillance Devices—Records
Authority
- Terrorism (Police Powers)—Special Powers
Authorisation

Rules—

- Supreme Court—
Criminal Assets Confiscation
Criminal Assets Confiscation Summons

By the Minister for Health (Hon. J.D. Hill)—

- Health Professionals (Special Events Exemption) Act
2000—Report
- South Australian Council on Reproductive Technology—
Report 2005
- Regulations under the following Act—
Occupational Therapy Practice—Elections

By the Minister for Families and Communities (Hon. J.W. Weatherill)—

- Independent Living Centre—Report 2004-05

By the Minister for Disability (Hon. J.W. Weatherill)—

- Julia Farr Services—Report 2005
- Regulations under the following Act—
Retirement Villages—General

By the Minister for Agriculture, Food and Fisheries (Hon. R.J. McEwen)—

- Adelaide Hills Wine Industry Fund—Report 2004-05
- Langhorne Creek Wine Industry Fund—Report 2004-05
- McLaren Vale Wine Industry Fund—Report 2004-05
- Riverland Wine Industry Fund—Report 2004-05
- South Australian Apiary Industry Fund—Report 2004-05
- South Australian Cattle Industry Fund—Report 2004-05
- South Australian Deer Industry Fund—Report 2004-05
- South Australian Pig Industry Fund—Report 2004-05
- South Australian Sheep Industry Fund—Report 2004-05
- Regulations under the following Acts—
Fisheries—Goolwa Cockles
Primary Produce (Food Safety Schemes)—Seafood

By the Minister for State/Local Government Relations (Hon. J.M. Rankine)—

- Regulations under the following Act—
Local Government—Service Rates and Charges
- Rules—
Local Government—
Special Account
Withdrawal Conditions
- Local Council By-Law—
Flinders Ranges Council—No 3—Dogs

By the Minister for Consumer Affairs (Hon. J.M. Rankine)—

- Regulations under the following Act—
Liquor Licensing—
Ceduna
Goolwa Skate Park
Hahndorf
Mannum
Riverton and District High School

By the Minister for Employment, Training and Further Education (Hon. P. Caica)—

- Education Adelaide Charter 2004-05.

NUCLEAR POWER

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

Leave granted.

The **Hon. M.D. RANN**: Cabinet yesterday ruled out any prospect of a nuclear power plant being built in South Australia. It is considered neither economically viable nor necessary. There is no market demand, and I am not aware of any industry wishing to pursue the nuclear option commer-

cially. No-one is seriously asking the South Australian government to build a nuclear power plant, and neither is anyone suggesting that it build one itself—except perhaps some members opposite and a few councils that must be rating too highly in order to pony up the \$2 billion needed to build one. This is because nuclear power in this state would simply be an absurdity. For the benefit of the house, let me put on the table a few facts as they have been put forward by experts who have looked into this issue and studied its consequences.

For a start, the cost of building a nuclear reactor is enormous. A conservative estimate would put the capital cost, I am told, at around \$2 billion for a single plant. That would force up power prices which, quite frankly, is the last thing South Australians want or need following the Liberals' disastrous privatisation of ETSA. The nuclear power plant also would have no practical application in this state. I am told that the large size of a nuclear power plant, let alone the enormous amount of water needed to cool it (and that has not been explained by members opposite), means it cannot supply a small state market due to its inability to vary supply quickly to meet changes in demand.

Nuclear power plants provide a massive and continuous base load power supply, which is why they are well suited to high density populations such as those in France, the United Kingdom, India, Japan, China and the United States. A single nuclear power plant in this state would mean there was only room for one base load power generator, and having only one source of electricity is simply bad risk management. There are other issues—

Ms Chapman interjecting:

The Hon. M.D. RANN: Apparently members opposite want a nuclear power plant.

The Hon. K.O. Foley: Vickie wants one. Put it in Burnside.

The Hon. M.D. RANN: A Burnside reactor!

The SPEAKER: Order!

The Hon. M.D. RANN: It would obviously take a very long time, Mr Speaker, to pass legislation to allow a nuclear power plant in Australia, and indeed in South Australia—it would be likely to be held up by fierce community opposition. It would take time to draw up and institute an appropriate regulatory regime in a country that has never had a commercial nuclear power plant. It would take time to build the plant, and I am told that most US plants took about 10 years to build. We would then have the problem of what to do with the storage and waste disposal, an added problem and an additional cost. That is not to mention the huge amount of water such plants need for cooling, and the enormous decommissioning costs that must be provisioned into the cost of building the plant.

While nuclear power is totally impractical in South Australia, this government fully supports the uranium mining industry in our state exporting uranium to countries that need nuclear power to supply energy to large populations that do not have sufficient alternatives such as a reliable supply of natural gas. We are prepared to supply it to those countries where nuclear electricity generation is a viable option—

An honourable member interjecting:

The Hon. M.D. RANN: So the opposition is saying we should go ahead, spend \$2 billion, lift the price of electricity even more.

The Hon. I.F. EVANS: Mr Speaker, I rise on a point of order.

The Hon. M.D. RANN: What is this Liberal obsession with increasing power prices?

The SPEAKER: Order! The Premier will take his seat.

The Hon. I.F. EVANS: The Premier is debating a ministerial statement and is ruling out something he admits is not going to happen.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The Premier has been given leave to make a ministerial statement, and not debate it, but I also suggest that members on my left do not interject during the ministerial statement and provoke the Premier. I also say to the Premier that perhaps he would be best disregarding the interjections of members on my left. The Premier has the call.

The Hon. M.D. RANN: Sir, I absolutely take your sage and wise advice and I will try not to respond to honourable members who seem particularly enthusiastic. We are prepared to supply uranium to those countries where nuclear electricity generation is a viable option, provided it is for non-military purposes, and that these countries are signatories to the nuclear non-proliferation treaty. We fully support the proposed expansion of the Olympic Dam mine which BHP Billiton has told us will lead to the creation of some 23 000 jobs across the state. Obviously, we are involved in very high-level discussions about providing for a desalination plant to provide water for the Olympic Dam expansion in order to relieve pressure on both the River Murray and the Great Artesian Basin.

Olympic Dam is poised to become the largest uranium mine in the world and the largest open cut mine ever. During its four-year construction phase, an estimated 1 million tonnes of earth will be moved every day to get to the ore bodies of copper, uranium, gold and silver. In fact, I was told in London that at Olympic Dam there are a series of rigs which are currently drilling that cannot yet find the parameters of the ore body, and they are now thinking of going to 2 kilometres below ground from the existing 1 kilometre to see if they can find the depth of the ore body, which is valued at hundreds of billions of dollars. It will mean that BHP Billiton will place the largest order of trucks ever made in history.

There is a growing need for fuel sources other than oil, coal and gas in expanding economies across the globe. This is not just because much of the world's oil and gas is located in predominantly politically unstable regions. The environment and the effects of greenhouse gases on global warming are also giving rise to the need to find cleaner and more sustainable forms of energy. As members would be aware, the case in favour of nuclear energy has been elevated in recent weeks by both Britain's Prime Minister Tony Blair and US President George Bush, who have both spoken of the need to debate the building of new nuclear power plants in their countries. The rising demand for uranium is in turn pushing up world market prices. South Australia is in a seller's market. It is estimated that we have in this country, with South Australia being predominant, nearly 40 per cent of the world's known and exploitable uranium. It is clear that, because of this, the boom in mining—especially uranium mining—will in the second, third and fourth decades of this century become as significant to our state's economy as the mining industry has been to Western Australia and Queensland.

Suggestions in recent times that South Australia should take back the nuclear waste generated from the uranium we export to countries around the world is just not going to

happen. This would be as silly as the state agreeing to take back every used bottle and every empty cask of wine that we sell overseas. We sell \$1.6 billion of wine a year from South Australia—72 per cent of the Australian wine sold in Britain. It would be like suggesting that we take back the empties. It would be as silly as requiring every country that trades with us to take back their waste once we have used their product.

As Australia's first Minister for Climate Change—in fact, I am told that at the Sydney Writers' Festival I was described as the world's first Minister for Climate Change—I am proud of this state's record in sustainable energy. Since we have come to government, we have done as much as we can to activate and promote the sustainable energy industry, with 51 per cent of the entire nation's wind energy generators now located in South Australia—more wind power generation than in all the other states and territories combined, and soon that will be second only to Denmark. We also have 45 per cent of the nation's solar power. We also have the only investment in 'hot rocks' exploration being undertaken in Australia. This government is committed to finding new and better ways to save energy, plant millions of trees and restore our valuable natural heritage like the River Murray.

TRANSPORT PROJECTS

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

Leave granted.

The Hon. P.F. CONLON: Over the past four years this government has planned and started to implement an ambitious program of capacity-building transport-related projects. The Port River Expressway was commenced under the previous Liberal government, but serious design flaws were removed by this government with the addition of two overpasses. That expressway is now completed and operating.

An honourable member interjecting:

The Hon. P.F. CONLON: You should be pleased with this; stop interrupting. The deepening of the Outer Harbor channel to a world-class standard was commenced by this government and completed; the new deep sea grain wharf was relocated, commenced and completed; the new grain terminal is under construction; new road and rail bridges over the Port River are under construction; and the train and road networks on Le Fevre Peninsula are in the process of being upgraded. This ambitious program will continue during the term of this parliament. We will replace the Bakewell Bridge, one of the key arteries into the city, and Adelaide's longest-standing traffic challenge is finally being met with a program of grade separations on South Road—a road which previous governments have simply left in the 'too hard' basket. Planning has also commenced for a massive new northern expressway linking the Sturt Highway at Gawler to Port Wakefield Road and the Port River Expressway.

In recent weeks there has been some informed, and much uninformed, comment on the cost of transport projects. We are working in a national environment of rapidly escalating construction costs.

An honourable member interjecting:

The Hon. P.F. CONLON: All on the back of our economic growth, the economic growth that they could never get and that they want to laugh about now. In addition, scope and design changes, often resulting from community consultation, drive costs. On some projects inadequate allowance by transport officials for the cost of land acquisition has also driven cost increases.

Mr Speaker, we will build the projects up to their proper scope and we will stay within our budget forecasts by adjusting the timing of the program. Final costs can now be determined for the Bakewell Bridge project. The cost of that project is \$41 million—\$11 million more than the original forecast.

An honourable member interjecting:

The Hon. P.F. CONLON: We will come to your projects in a minute, if you like.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: These increased costs have been driven by design changes arising from consultation, increased allowances for traffic management, and increased labour costs. This project will commence on the current timetable. Final costings cannot be determined for other projects until contracting outcomes are further realised.

I have been strongly advised that the government should not publish the full range of estimates on a project (and I will provide the cackling member for Heysen with that advice if she likes), as doing so would seriously hinder the government's capacity to drive efficiency with contractors. I can indicate that the estimated costings for the Anzac Highway/South Road underpass are in excess of \$100 million. These costings have been driven upwards by the factors previously mentioned but also by a serious underestimation of land acquisition costs. Despite the increased cost this is still a good investment for South Australians. The temptation would be to do a lesser project, but that would be false economy and, in the long term, would short-change South Australia. That is how you end up with a one-way expressway. It is necessary that we begin to address these serious bottlenecks, and this project will commence on the original time frame.

The other projects are not immune from similar cost pressures. They will have to be timed so that we maintain our investment budget discipline—a prudent thing to do. What we will not do is scope them down so that they turn out like the Southern Expressway.

The Northern Expressway will be the subject of further discussions with the commonwealth. The government is determined to maximise the return for infrastructure investment. The government has decided that Mr Jim Hallion is the best option to drive this program. Mr Hallion is undertaking significant reform in the Department of Transport, Energy and Infrastructure.

Mr Williams interjecting:

The Hon. P.F. CONLON: Jim Hallion is a great bloke. I'm glad we agree on something, Mitch. I thought that if I waited for 4½ years there would be something.

An honourable member interjecting:

The Hon. P.F. CONLON: Yes. Mr Rod Hook, head of the Office of Infrastructure, will become head of the Office of Major Projects and Infrastructure. He will have immediate responsibility for managing these ambitious infrastructure projects, and he will second officers from other transport divisions, as they are necessary, for the delivery of the infrastructure program. I will provide the house with further information, as Mr Hallion implements his program.

CITY OF VICTOR HARBOR, ANNUAL REPORT

The SPEAKER: Pursuant to section 131 of the Local Government Act 1999, I lay on the table the annual report for 2004-05 for the City of Victor Harbor.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. P.L. WHITE (Taylor): I bring up the 24th report of the committee on the Impact of International Education Activities in South Australia.

Report received.

QUESTION TIME

NORTHERN EXPRESSWAY

The Hon. I.F. EVANS (Leader of the Opposition): Will the Minister for Transport confirm that he has received advice that there has been a massive blow-out of up to \$600 million in the cost of the Northern Expressway project? The government previously announced the Northern Expressway project at a cost of some \$300 million. The six-laned freeway is jointly funded by the federal government. Senior transport sources have advised the opposition that there is a blow-out of up to \$600 million on the project, making the estimated cost not \$300 million but, rather, up to \$900 million.

The Hon. P.F. CONLON (Minister for Transport): If it was \$900 million it would be an expensive road, wouldn't it? This is the bloke who announced during the election campaign that he was going to duplicate 22 kilometres of the Victor Harbor Road for \$130 million. He was going to do that for \$130 million, but our 22 kilometres will cost \$900 million, according to him. I am not advised the cost of it will be \$900 million. I have been advised that the cost of the Northern Expressway, depending on how it is scoped, can be very large or much less. I indicate to the house, as I said today, that we will certainly not meet the \$300 million cost. Decisions will have to be made and scoped. I am talking about an entirely new road. Decisions will have to be made about the scope of the road—and they are still to be made.

Again, I make the point that when the Leader of the Opposition (then the shadow minister for transport) was challenged about how on earth anyone could duplicate the Victor Harbor Road for \$130 million, he said 'by scoping it'. 'It just depends on the scope,' according to him. What I say to him is that it does depend on the scope, but no-one on God's earth could duplicate the Victor Harbor Road for \$130 million, as you promised. I indicate that we will be having further discussions on the Northern Expressway and we will be—

Members interjecting:

The Hon. P.F. CONLON: But I have not been advised that it will cost \$900 million. Members opposite should have another go; think of another number.

CARNEGIE MELLON UNIVERSITY

Ms CICCARELLO (Norwood): Will the Premier advise the house on progress made to assist the establishment of Carnegie Mellon University's Adelaide branch?

The Hon. M.D. RANN (Premier): I am very pleased to answer this question. I start by saying that I left Canberra at 6 o'clock this morning. I want to pay tribute to a couple of federal ministers from the other side of politics.

I particularly want to pay tribute to Alexander Downer, who was very much the joint father of this project. I met last night with Alexander Downer, Brendan Nelson and Julie Bishop and passed on a letter to Julie Bishop from two of my ministerial colleagues, about medical places. I pay tribute to the extraordinary support for this project that has come from

Alexander Downer and from Brendan Nelson in changing two federal laws to allow this project to happen. This is one of the best examples that I can think of where federal and state governments act together in the interests not only of a state but of a nation.

I am happy to be able to advise the house that Carnegie Mellon's Australian campus has begun teaching classes. In fact, I was fortunate enough to visit the campus today to speak at its welcoming function for new students. Carnegie Mellon University in Adelaide is Australia's first, and so far only, foreign university. Initially, two of Carnegie Mellon's world-class schools are operating. The H. John Heinz School of Public Policy and Management is delivering its top-ranked Master of Science and Information Technology degree as well as its highly-rated Master of Science in Public Policy and Management. The Entertainment Technology Centre is delivering its Master of Entertainment Technology, a high-tech digital media degree, graduates of which work for the likes of Disney and Spielberg and which is ideally placed on Currie Street in the west end of the city.

It is set to benefit South Australia's film and creative industries; businesses like Rising Sun and Kojo. I am sure that members opposite would be aware of the spectacular success at the Cannes Film Festival of three South Australian films, one of which won the Special Jury Prize, which is an enormous achievement. The Associate Dean and Executive Director of the Heinz school, Brenda Peyser, is thrilled with the quality of the students attending the first classes at the Heinz school and at the Entertainment Technology Centre. Next year enrolments are expected to increase substantially, up from the 71 postgraduate students enrolled this year, and already there has been strong demand for places for next year.

The university's opening is a significant achievement by Carnegie Mellon and the state and federal governments, considering that the original heads of agreement were signed just 18 months ago. The federal government—and I also should praise the Prime Minister John Howard for his support—has been instrumental in assisting this process. Australia's foreign minister, as I noted, has been involved right from the beginning, and I am pleased to inform the house that his department is supporting Carnegie Mellon by providing scholarships to international students. The Hon. Brendan Nelson (as higher education minister before being defence minister) was also involved in establishing the university, ensuring the passage of legislative changes to allow the university to operate.

Carnegie Mellon University will contribute to achieving South Australia's Strategic Plan target of doubling our market share of international students within 10 years. The university advises me that it already has international students from countries such as Cambodia, Sri Lanka, the United States and Africa. The government intends to build on this success and has committed up to \$3 million to attract Carnegie Mellon's world-class Software Engineering Institute, which will be important for the \$6 billion air warfare destroyer project and for other defence contracts.

I am very pleased that Carnegie Mellon and Flinders University are forging a joint relationship. We are also building new partnerships, as I announced at the weekend, with the signing of the heads of agreement between the state and Cranfield University's Defence College of Management and Technology, located within the Defence Academy of the United Kingdom in Shrivenham. I was very pleased to visit the campus last week, and I hope that this relationship goes to see Cranfield University also delivering postgraduate

qualifications in Adelaide. So, we will have two world-famous universities, Carnegie Mellon and Britain's Cranfield, one offering US degrees and the other offering British postgraduate degrees, and this time in association, I hope, with the University of South Australia.

NORTHERN EXPRESSWAY

The Hon. I.F. EVANS (Leader of the Opposition): My question is again to the Minister for Transport. When did the minister first receive the advice that there has been a massive blow-out of up to \$600 million in the cost of the Northern Expressway?

The Hon. P.F. CONLON (Minister for Transport): I can inform the Leader of the Opposition that I was advised some time after the election, some time late March, early April—

Mr Hamilton-Smith: The 19th?

The Hon. P.F. CONLON: No, that's my birthday.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. P.F. CONLON: And I think I look pretty good for a 35 year old! I do not know whether the Leader of the Opposition listened to the answer, but I have never been advised it was up to \$900 million. You've made that up. What I will say is that I was advised sometime in March-April—and I will check whether my office has been given any other advice, just to be fair to you—that, depending on what scope was used, there would be significant cost increases. I have told the house it is over \$300 million. I was advised last week of the number that I provided to the house today, and I will advise the house when we have more solid numbers.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: How could such a thing happen? How could a government project—because it has never happened before, has it? Perhaps I should run through some comparisons of infrastructure projects under a previous Liberal government: the Adelaide Convention Centre, 71 per cent blow-out on the budget; Adelaide to Darwin, 50 per cent; Lyell McEwin Hospital, 221 per cent; Mawson Lakes development, 149 per cent; Patawalonga development, 65 per cent; Portrush Road project—Magill Road to Greenhill Road, 140 per cent; and the Forensic Science building, 112 per cent. So let's not have the Leader of the Opposition crawl in here saying, 'What's gone wrong? Government projects not meeting budget—my God, how has that happened?' Basically it is what has happened to every one of their projects.

Can I indicate to the Leader of the Opposition the difference between the Northern Expressway and other roads is that it is an entirely new route. That gives you a very wide range of options, both about corridor, where it goes and how big it is. Now, I can tell you if you want to spend \$900 million building the Northern Expressway, you could. If you wanted to spend \$1.9 billion building it, you could. If I put the route through the middle of, for example, Gawler, I would have to spend a lot more money on land acquisitions than if I went around Gawler. So, the question of the cost of the Northern Expressway is entirely related to route and scope. Those things are not determined. DOTARS requires a very long program. But I can assure the house, not hiding

anything, it is going to cost more than the original costings, and that is something I am very disappointed in.

TOURISM, DIRECT INTERNATIONAL FLIGHTS

The Hon. S.W. KEY (Ashford): My question is directed to the Minister for Tourism. What initiatives does the state government have in place to ensure the South Australian tourist industry benefits from the increased number of direct international flights coming into Adelaide?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the member for Ashford for her question. She will realise that one of the impediments to tourism development in South Australia is the difficulty of direct access, in comparison with a number of direct flights going to the east coast. Adelaide has always been more difficult to reach. That is particularly true when transit goes through Melbourne and Sydney, even Darwin and Perth, and can add an extra four hours, if not longer, to flights.

We have recently had a significant increase in the number of direct international flights into Adelaide, and I must say this is not an accident or something which happened without considerable input and work from the state government, which has worked with international airlines and the airport to increase the number of direct flights. The first flight increases were with Malaysian Airlines, but recently Singapore, Cathay Pacific, Air New Zealand and Qantas have announced new or increased services to the state. In fact, we had 14 direct flights just over three years ago and we now have 26 direct flights into Adelaide, which brings particular opportunities for inbound tourism.

In working to do this, we have been fortunate in that this is built on the back of increased economic and trade confidence in South Australia, with confidence in the tourism industry also strong after the development of the new airport. In having these new flights, of course, we must always say, 'If you don't use them, you lose them,' and that means that we have to support international marketing campaigns to bring more tourists into South Australia. For example, we have invested \$1.5 million in cooperative marketing campaigns and made sure that, where a new flight is introduced, we back it with advertising in the target market. In New Zealand, this has involved new and updated television and cinema advertisements. We particularly market the South Australian brand in New Zealand because it will add onto the Qantas and Air New Zealand flights.

The Air New Zealand flights are particularly important with the Australian tourism exchange just coming up, because that will market to North America. The new flight Air New Zealand puts out of Adelaide going to Auckland has about an hour to an hour and a quarter on the ground in Auckland. If you wanted to connect from Los Angeles to Adelaide, it is about an 18-hour flight compared with some 28 or 29 hours with competitors. So, it is an extraordinarily fast flight for the American market, which is averse to long-distance air travel. The government has also worked with Singapore Airlines and has signed an MOU to target key international markets in the UK, Germany, France, Italy, Hong Kong, Japan and Taiwan. Similarly, we are working in the Hong Kong and South Asian markets for Cathay Pacific to increase outbound tourism from those sites.

We would particularly note that putting the visitor information centre at the new airport, which is staffed whenever flights are arriving, is an additional incentive for those visitors to know what is happening in South Australia.

This is good for tourism, good for jobs and good for the economy, particularly regionally, because those international tourists who are attracted by this burgeoning number of international flights will be spread through the regions. We will continue to work to ensure that these flights are full and profitable for South Australia.

NORTHERN EXPRESSWAY

The Hon. I.F. EVANS (Leader of the Opposition): My question is again to the Minister for Transport. Does the change in scope to the Northern Expressway project that the government is now considering include a reduction in lanes from six to four and/or a reduction in the standard of the road from freeway standard to a lesser standard?

The Hon. P.F. CONLON (Minister for Transport): Once again, the opposition leader proceeds from a mistake: he said 'change in scope'. There is no settled scope for it. There is no settled scope for the project. The scope is not settled. As soon as the scope—

Members interjecting:

The Hon. P.F. CONLON: At the moment, it is not even decided where the road will go. I do not know whether you have ever done a DOTARS project.

The Hon. I.F. Evans interjecting:

The Hon. P.F. CONLON: Can I say that the scope is not settled and has not been settled. As soon as it is, we will advise the Leader of the Opposition.

HOSPITALS, EMERGENCY DEPARTMENTS

Mr PICCOLO (Light): My question is to the Minister for Health. What level of demand can our public hospital emergency departments expect during this winter?

The Hon. J.D. HILL (Minister for Health): I thank the member for Light for this important question. As members would know, every year during winter there is a strong demand for the services of our doctors and nurses in our emergency departments. While next Thursday is officially the first day of winter, this year the pressures on our hospitals have hit early. I am advised by the South Australian Ambulance Service that last Friday saw the largest number of ambulance carriers of patients to our emergency departments in the history of our state. On that day, 376 patients were taken to hospital emergency departments. In total, 2 278 patients were taken to hospital during the week. This was busier than any week last year and represents a 16 per cent increase on the same week last year. Obviously, this extra work for our paramedics flowed through to extra demand on our public hospitals. For instance, compared with the same week last year, there was an 11 per cent increase in emergency department presentations at the Royal Adelaide Hospital and a 12 per cent increase in admissions at the Flinders Medical Centre. Even yesterday, the Queen Elizabeth emergency department was at 100 per cent capacity, with that hospital on ambulance bypass for two hours. Ashford, Wakefield and St Andrew's private hospitals were also on ambulance bypass yesterday.

As in every year and under every government, some patients arriving in emergency departments with less urgent conditions will have longer than usual waits as a result. The winter demand will also impact on our hospitals' ability to provide timely elective surgery to non-urgent patients. However, I am advised that, this year, our hospitals are better prepared than ever before. We have more clinical staff in our

hospitals compared with four years ago. Every one of the extra 1 349 nurses and 349 doctors will be needed this winter. We are developing the first state-wide winter demand strategy that incorporates the roles of hospitals, GPs and paramedics. The number of young, disabled and elderly patients in our public hospitals without an acute condition has been reduced significantly, freeing up beds for emergency admissions. These patients are now being cared for in more appropriate facilities in the community under the auspices of my colleague the Minister for Families and Communities.

Redesigning care at the Flinders Medical Centre has improved patient flows, reduced the length of stay, and made the hospital safer. The government's emergency department package will expand this program across our other hospitals. Already, the Women's and Children's and Royal Adelaide hospitals have very good programs in place. There has also been a concerted campaign to increase the rate of immunisation of hospital workers. In some major hospitals, up to 70 per cent of hospital staff have now had a flu shot. This is up from a previous high of 30 per cent. We must ensure that we can keep people healthier during winter. By putting a greater reliance on primary health care and building GP Plus centres, we will improve the health of our population and keep people out of hospitals. It is important during the winter months that we take special care of our elderly family members, and I ask people to please see their GPs if they have any flu-like symptoms. I repeat my call for people at risk to get a flu shot this season.

NORTHERN EXPRESSWAY

Mr HAMILTON-SMITH (Waite): My question is to the Minister for Transport. Will the minister advise the house of the commencement and completion dates for the construction of the Northern Expressway project, and confirm whether these have been delayed as a direct consequence of the project's budget blow-out?

The Hon. P.F. CONLON (Minister for Transport): It has always had a very long lead time. I will go and get the actual dates.

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! The member for Waite has asked his question.

The Hon. P.F. CONLON: No delay has been incurred as a result of any blow-out. As I have said over and over, nothing has been decided yet. Nothing has been decided about the scope and the route. It is a very long lead time. The truth is that this is a road whose timetable will be decided between us and the commonwealth. We are going to have discussions with the commonwealth about the cost of the project.

Ms Chapman interjecting:

The Hon. P.F. CONLON: She is at it again. Someone send for the Panadol: she is at it again. I cannot tell the member more than the fact that nothing has been decided about the route and scope. Nothing so far affects the timetable, but we must have discussions with the commonwealth and, I repeat, it is not going to land at \$300 million. I do not know how much clearer than that I can be, and the decision on how much it will depend on a whole range of factors.

INDUSTRIAL RELATIONS LAWS

Mrs GERAGHTY (Torrens): Will the Minister for Industrial Relations advise the house what the government is doing to ensure that employees of private contractors working on government contracts are not unfairly treated in terms of wages and conditions since the introduction of the federal government's WorkChoices legislation?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I thank the member for her question. The government has been concerned about the potential impact that AWAs based on the Australian government's WorkChoices legislation may have on contracts that previously protected award rates and conditions. I have sought legal advice about whether government tenders and contracts that were in place immediately prior to the operation of WorkChoices can continue to require contractors and their subcontractors to include award entitlements in their tender and any subsequent work under an awarded contract.

As a result, new contract clauses have been developed, which will impose an obligation on contractors and subcontractors to the effect that employees in South Australia remain subject to wages and conditions of employment not less favourable than applied immediately prior to the commencement of WorkChoices. The new contract clauses will give effect to the implementation of a revised government contracting policy framework which will ensure pre-WorkChoices employee entitlements on all government contracts for goods, services and construction. There will be a process where contractors must ensure that, on request, they and their subcontractors ensure that they are compliant with those requirements of their contract.

It is the intention of the government that, with this new contracting in place, contractors and subcontractors will continue to enjoy, as a minimum, terms and conditions no less favourable than those that were in place before WorkChoices came into force. This policy will affect a wide variety of occupational groups including cleaners, security officers, catering, labour hire, construction, goods supply, warehousing and temporary administrative staff. In short, we have moved to ensure that wages and conditions are not eroded for these workers under Howard's draconian new industrial relations laws. This action by the government will further negate the damaging effects that the WorkChoices legislation has on workers and their families.

NORTHERN EXPRESSWAY

Mr HAMILTON-SMITH (Waite): Can the Minister for Transport advise the house what contribution the federal government will make beyond the \$146 million it has already allocated to 2008-09 to any increase above the present Northern Expressway budget of \$300 million? Will state taxpayers be exposed to the full cost of the blow-out?

The Hon. P.F. CONLON (Minister for Transport): I've had some good questions but, if I understand the question from the member for Waite, he wants to know from me how much more the commonwealth will give me. I wonder if he wants to get on the phone to one of his commonwealth colleagues and ask them that. The member for Waite has spent a lot of time telling me to ask the commonwealth for money recently for AusLink. None of what he says makes sense here, and I will tell you why. Cast your mind back to the election campaign when this opposition set out its priorities for transport. A lot has changed since then and a

couple of months have gone by. Since the election, since he was appointed, this man has said that I should go to the commonwealth and ask for \$400 million to duplicate the Dukes Highway, that I should ask for hundreds of millions of dollars to do a Port Wakefield bypass and for more money for the Northern Expressway and the Gepps Cross bypass.

Mr Hamilton-Smith: You're getting beaten by New South Wales and Victoria.

The Hon. P.F. CONLON: We're getting beaten by them. I put this to the shadow minister because he says we should get more out of the commonwealth. The last time I spoke to a commonwealth minister about road funding was about four or five weeks ago with Nick Minchin launching one of the projects I mentioned today. Will the shadow minister tell me when he picked up the phone to a commonwealth minister to ask for more money for South Australia? When did you—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: No. You don't want us to get the money: you want the cheap politics. You want to be in here saying, 'Fund this. Fund that. Fund everything.' He would be on the phone to his mates saying, 'Don't give them anything.' When did you ever ask a commonwealth—

Mr WILLIAMS: On a point of order, Mr Speaker, I am floundering with the relevance of the answer to the question proposed.

The SPEAKER: I think that the minister is now straying from the question.

The Hon. P.F. CONLON: If he wants me to get more money from the commonwealth, I am bipartisan. I invite him to come along and help argue for it. I will invite him to come along. Will you accept the invitation? Will you come, Martin? Be brave; be a soldier. Come along. We will see how hard he argues for the duplication of the Dukes Highway.

Members interjecting:

The SPEAKER: Order!

APY LANDS

Ms BREUER (Giles): My question is to the Minister for Aboriginal Affairs and Reconciliation. What are the latest developments in the APY lands?

Members interjecting:

The SPEAKER: Order! The Minister for Transport will come to order.

The Hon. J.W. WEATHERILL (Minister for Aboriginal Affairs and Reconciliation): I thank the honourable member for her question and acknowledge her deep commitment to the APY lands, which are, of course, in her electorate.

Remote communities have been the subject of much media scrutiny of late and I think it would be generally accepted that governments of all persuasions have, over the generations, failed to address the deep and complex needs that exist in these communities. I know that bipartisanship is thrown around this place in, I think, a somewhat cavalier fashion from time to time, but if there is ever an issue on which we should have a bipartisan position it must be this. I visited the APY lands with a group of people last month to speak with leaders and to see for myself what was happening on the lands. While it is undeniable that an extraordinary amount still needs to be done in the areas of health, education and the scourge of substance abuse in the lands, I think we are beginning to see some pleasing signs of slow but important progress.

In answering this question I think it is proper that I touch on some elements of the national debate. The federal minister for indigenous affairs has, no doubt, set off a national debate about the future of remote regional communities and, in particular, Aboriginal communities. To the extent that that debate is raising the question of the abuse of young people and women in these remote Aboriginal communities is, I think, a good thing; however (and I am not suggesting that this was intentional), to the extent that the debate seeks to characterise Aboriginal people as somehow immoral or of having immoral behaviour, and that that makes them less entitled to help and assistance, is a bad thing. It is crucial that we avoid that being a consequence of this current debate.

There has been much focus recently on the question of police, and one of the successes (and I use that word with some caution) that has been achieved on the lands has been the provision of sworn officers. Almost all the eight sworn officers and 10 community constables positions have now been filled and almost all of them are now physically on the lands. That has made a massive difference to establishing a secure base from which some of the other issues can be met. The Police Commissioner summed it up as well as anyone, I think, when he was drawn into the national debate and when he said that the police cannot do everything. Of course, that stands to reason.

We have been through the phase of trying to protect the security of individuals. I am sure that more can be done in that regard, but we have been through that phase and our attention has then gone into other things such as basic service provision. It was very pleasing to see that a water system has recently been upgraded, with ultraviolet disinfection units installed at Mimili, Pukatja, Amata and Umuwa. I also saw a new central power station which was in the process of being commissioned, and new powerlines will be rolled out to a number of communities in the near future.

I also saw important and pleasing improvements in the social infrastructure. I visited the community of Pukatja where I met with community-employed youth workers Ethan Dagg and Nick Cleghorn, and also visited a local dirt bike program. Both young men worked on that program, which provides some activities for young Aboriginal youth during the day. The program is partially funded through the APY Land Substance Misuse Program. Ethan, a young local man, spent an enormous amount of his own time designing and building the track. I had great pleasure in presenting him with the Premier's Certificate in recognition of his contribution to the young people in that community. It was good to see the way in which he was being looked up to by other young Aboriginal people in that community.

In Mimili I met with Mike and Gale Quarmby of Reedy Creek Nursery, who have been working with the community to establish a bush food plot. The community has been harvesting crops since April 2005. The plot provides work for local people but, more importantly, the food is available for the community and the excess is being sold back to Reedy Creek for commercial purposes. Some would have seen the Villi's pie containing the bush foods. Apparently, they are very nourishing and—

An honourable member: An excellent product.

The Hon. J.W. WEATHERILL: Oh, yes; very nice. We hope that is a commercial success and spawns further opportunities for this area.

Finally, I visited the Amata arts centre—Tjala Art—and met the coordinator and some of the artists. That arts centre has been steadily increasing its turnover and now has the

highest turnover on the lands. Its name has changed, and it is now called Tjala, which means 'honey ant', and this reflects the shift in the nature of this arts centre, because it now involves male artists instead of just the women. That is another bright spot on the lands. There are many more works in progress on the lands. It was pleasing to see the way in which some of these programs, which are about creating a future and giving hope to the people on the lands, are beginning to make a change. I look forward to engaging with the national government in a constructive way to make further improvements to the life of people on the APY lands.

TRAMLINE EXTENSION

Mr HAMILTON-SMITH (Waite): Will the Minister for Transport guarantee the house that the tram extension down King William Street will proceed on time and on budget, given the blow-out in costs for his Northern Expressway project?

The Hon. P.F. CONLON (Minister for Transport): They are a funny mob, aren't they? I tell them about a blow-out in one project, and they ask about a different one. Can I guarantee that it will go ahead on time? Never guarantee that a project that involves dealing with a council in consultation will go ahead on time.

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: I'm not hedging; I'm saying that I will not guarantee that. What I will say is that the shadow minister has been running around now for four weeks talking about a 40 per cent blow-out that does not exist. It does not matter to him that it is not true; he is still out there doing it. This is what they teach officers and gentlemen at Duntroon: ignore the truth and keep making up stories if it helps them.

An honourable member interjecting:

The Hon. P.F. CONLON: Yes. Who dares to tell porkies wins. He has been out there—

Members interjecting:

The Hon. P.F. CONLON: The man who launched a single-handed assault on the leadership is talking about my competence. A man who did not work out whether he had another single vote for the leadership launched a challenge! Sir, I would have got as many votes for the Liberal leadership as he did—I would have got one vote as well. In fact, with Gunny over there, I might have got a second one. I might have done a bit better.

Mr Hamilton-Smith: That's right. All you've got is wisecracks.

The Hon. P.F. CONLON: All I've got is wisecracks. They give you the leadership not for courage, not for single-handedly assaulting a machine gun nest: they give it to you as you get—

Mrs REDMOND: On a point of order, sir, as to relevance.

The SPEAKER: Yes; I do uphold the point of order. The member for Enfield.

DOOR-TO-DOOR SALES

Mr RAU (Enfield): Will the Minister for Consumer Affairs advise of any action taken to ensure door-to-door sellers of home improvement products are complying with the relevant sections of the Fair Trading Act?

The Hon. J.M. RANKINE (Minister for Consumer Affairs): This is a particularly relevant question from the

member for Enfield. As I travel through his electorate, I often notice how much refurbishment is happening on a lot of the older homes there, so I can understand why he would be concerned about that issue.

The Office of Consumer and Business Affairs recently completed an audit of South Australian businesses involved in the supply and installation of home improvement products and services. It found that all businesses audited, to varying degrees, failed to comply with the door-to-door sales provisions of the Fair Trading Act. The findings suggested that these door-to-door sellers have neglected to adequately explain and provide information to consumers on their rights. If consumers purchase goods or services which cost more than \$50 and which are the result of door-to-door trading, then by law they have a 10-day cooling-off period. Door-to-door traders are required to give consumers written information outlining the right to cool off and a form for the consumers to use if they wish to do so.

I am advised that all businesses audited have provided the Commissioner for Consumer Affairs with written assurances that in future they will comply with the door-to-door sales provisions of the act. It must be made clear that any businesses audited and found to be breaching the door-to-door sales provisions of the act will be liable to be prosecuted for breaching that assurance, as well as illegal conduct. I have to say I am surprised that businesses did not adequately understand their requirements for door-to-door trading. Some people are vulnerable and feel pressured into purchasing things they do not need or cannot afford, and in these circumstances door-to-door sales provisions allow the person to cool off from the deal. OCBA's actions have helped to both clean up the industry and make the marketplace fairer.

PUBLIC SECTOR EMPLOYMENT

Ms CHAPMAN (Deputy Leader of the Opposition): Will the Premier explain why he has broken his promise of no Public Service job cuts to offset any increases in police and nurses? Throughout the election campaign the Premier and the Treasurer made explicit promises not to fund extra police and teachers by cutting other Public Service jobs. For example, on ABC Radio on 16 March, Matthew Abraham asked the Treasurer whether the government's new police and teachers would be funded by getting rid of other jobs. In response the Treasurer said, 'No; we will demonstrate that all this spending can be provided through appropriate efficiencies and savings within a budget.'

The SPEAKER: Before I call the minister, again I remind members that explanations are not an opportunity to make an argument to support the question, but, rather, should be given only in so far as it is necessary to make the question intelligible.

The Hon. J.W. WEATHERILL (Minister Assisting the Premier in Cabinet Business and Public Sector Management): The deputy leader's fulsome explanation to her question left out one salient fact; that is, on 21 February 2006 the Liberals promised to cut 4 000 public servants. There is no comparison between the Liberals' promise and the announcement that we made the other day. There is absolutely no comparison at all. For those having trouble seeing the differences, perhaps I should explain. The first difference is that ours is voluntary: theirs was a cut. Theirs was a cut of 4 000 public servants; in fact, 'get rid of 4 000 public servants'. It is not the language of voluntariness. In fact, when you base your whole election campaign around finding

\$300 million worth of promises, you have to have these people out the door. One can see that the notion of voluntariness is absent from the Liberals' proposal but is present in the Labor proposal. That is the first difference.

The second difference is that it is an offer. People can choose whether or not to take it. Some will and some will not. The PSA does not think many people will take it. That may be right. It is an offer to a group of people. The third thing, of course, is that during the election campaign we found it alarming that, when they quarantined all the bits they thought were politically damaging, we were left with a smaller pool. The Public Service went from 70 000 to 40 000, then to 30 000 and to 20 000, and it was basically down to a very small group of people from whom members opposite were going to target these cuts. It was a very alarming thing for those people who were providing front-line services. The group that this measure is directed at is a group of people who have been, in some cases, long-term redeployees, so there is no comparison, no broken election promise and certainly no need to fund the election commitments out of these savings.

APPRENTICES, MINIMUM PAY

Mr KENYON (Newland): My question is to the Minister for Employment, Training and Further Education. What is the government's reaction to the recent decision of the full bench of the South Australian Industrial Relations Commission to set a minimum weekly pay standard for apprentices 21 years of age or over?

The Hon. P. CAICA (Minister for Employment, Training and Further Education): The government welcomes the decision to set a minimum weekly wage for an adult working ordinary hours. That minimum is \$484.40, or \$12.75 per hour, and the commission went further to stipulate that adult apprentices receive at least that remuneration. The rise is set to apply to apprentices aged 21 years or over from 1 July 2006. The minimum standard also applies to trainees, with the minimum wage payable to a trainee being that specified for the relevant wage level in the National Training Wage Award 2000, as at 3 March 2006.

A full-time trainee in the state industrial system may now receive from \$173 to \$488 per week, depending on the level of traineeship, the number of years out of school and the level of secondary schooling completed. All in this chamber would be aware that our state needs to meet the challenge of industry skill needs, particularly given our ageing population and work force and the government's success in attracting major mining and defence industry projects. As a state, we need to intensify our efforts to encourage more people into trades. Improving the pay of mature age apprentices and trainees is an incentive to those workers who make the commitment to boost their skills. The commission's decision is expected to improve the wages of between 1 000 and 4 000 apprentices and trainees.

While the Rann government has been successful in increasing the numbers of apprentices and trainees in this state, the federal government's WorkChoices legislation has the effect of reducing the numbers of those who remain in the state system and therefore the number of those who can benefit from the SA commission's decision. The recent Howard government industrial relations changes will leave about 15 to 20 per cent of apprentices and trainees in the state system, with approximately 60 per cent of these aged over 21 years.

The commission found that there were good and cogent reasons to set the minimum wage for adult apprentices at the minimum adult wage. Mature-age apprentices often have prior work experience and skills that can be recognised to allow them to progress through training more quickly and to become more valuable employees. Under this government South Australia has achieved remarkable success, with almost a quarter of all apprenticeship and traineeship completions in 2005 having been fast tracked. In 2005, there was a 250 per cent rise in the numbers of mature aged and existing workers moving into apprenticeships and traineeships. These apprentices, as the commission noted, are subject to adult costs of living and should be supported in their efforts by receiving a living wage.

The commissioners recently heard further submissions for exemptions to the remuneration minimum standard for 27 state awards with respect to phasing in wage rates for adult apprentices. I understand that this matter has now been adjourned. I urge industry and the business community in general to make a serious commitment to working with the government to implement initiatives that strategically address our future work force needs, and to support South Australian apprentices and trainees in adding value to our economy.

VOLUNTARY REDUNDANCY SCHEMES

Ms CHAPMAN (Deputy Leader of the Opposition): Does the Premier agree with statements made by Minister Weatherill on 25 May this year in which he said that he would not rule out further voluntary redundancy schemes during the next four years?

The Hon. M.D. RANN (Premier): I do not agree.

VICTIMS OF CRIME, SUDANESE

Mr KOUTSANTONIS (West Torrens): Can the Attorney-General outline the ways in which South Australian victims of crime of Sudanese ethnicity are being informed about their rights?

The Hon. M.J. ATKINSON (Attorney-General): Mr Speaker, my attention was recently drawn to a violent crime perpetrated on an African woman in our state. I do not want to say any more about her specific case, but it did cause me to ponder whether or not she was aware of her rights as a victim. Members would be aware that some African countries continue to suffer armed conflict and civil disorder. It is not surprising then that people of African ethnicity make up many of the humanitarian entrants to South Australia. These new arrivals to our state have been affected by their experiences. Their experiences also have an effect on their settlement here. For example, women and girls from African nations have often been the victims of sexual violence, and men and boys have been forcefully conscripted into the military and subject to random arrests. Indeed, many have horrific tales to tell about their treatment at the hands of their fellow Africans.

South Australia continues to be at the forefront in acknowledging victims' rights and developing services for victims. Making victims aware of their rights and these services is important.

The Hon. G.M. Gunn interjecting:

The Hon. M.J. ATKINSON: The member for Stuart is comparing the loss of—mining licences, is it?

The Hon. G.M. Gunn: No, the annual licence to occupy

The Hon. M.J. ATKINSON: Annual licence to occupy with sexual violence against African women in the South Sudan. Mr Speaker, consequently, the Victims of Crime Coordinator has recently added a Dinka language version of a pamphlet for victims of crime to his website. Dinka is one of the tongues spoken by South Sudanese people among the new arrivals to our state. Some Sudanese people speak Arabic because they are taught Arabic in government schools, and there is a pamphlet in that language as well. There are pamphlets available in Albanian, Chinese, Croatian—whose statehood day we celebrate today—Greek, Italian, Khmer, Persian, Persian (or Farsi), Polish, Serbian, Somali, Spanish and Vietnamese—almost as many languages, sir, as my election material is published in.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: Well, when you get 76 per cent of the vote you tell me all about it.

Members interjecting:

The Hon. M.J. ATKINSON: Of course, as members opposite would know, Dinka is not the only language of South Sudanese; we may need a Nuer and Bari translation also. The South Australia Police, who are the primary frontline service for victims of crime, can access these pamphlets swiftly, print them and give them to victims. The member for West Torrens asks if there is one in English: yes, there is. As the pamphlets are posted on the Victims of Crime Coordinator's website, other people, including victims, can also obtain copies. Like all in this place, I hope that these pamphlets are rarely used because I would prefer that South Sudanese South Australians, indeed all South Australians, did not become victims of crime, as would we all. Becoming a victim of crime is a life-changing event, and the Rann Labor government is pledged to informing all South Australians, regardless of their ethnicity, about their rights as victims and where they can get help.

URANIUM MINING

Mr WILLIAMS (MacKillop): Does the Premier consider the policy commitment, which he put to the South Australian electorate on 18 March, that 'Labor continues to be opposed to the establishment of any new uranium mines', as anachronistic? In *The Advertiser* on 29 March this year, the Premier stated:

I believe the current national Australian Labor policy is anachronistic and likely to be changed.

But on page 18 of his own 2006 election policy document, the South Australian Labor platform 'What Labor stands for', clause 232 clearly states that South Australian Labor continues to be opposed to the establishment of any new uranium mines.

The Hon. M.D. RANN (Premier): I misheard the deputy leader before. I totally disagree with her assessment that there is any parallel between what we are doing in terms of voluntary separation payments and what the Liberals said they would do at the start of the election campaign, because there is no comparison.

Ms CHAPMAN: Point of order.

Members interjecting:

Mr WILLIAMS: Point of order.

The Hon. M.D. RANN: There is nothing voluntary about what you were going to do.

The SPEAKER: Order! The member for MacKillop has a point of order.

Mr WILLIAMS: The point of order is one of relevance.

The SPEAKER: Yes.

The Hon. M.D. RANN: I was clarifying a previous statement because it was quite clear—

Members interjecting:

The Hon. M.D. RANN: Can I just say this. I am going to reveal some things for you all to hear.

Mrs REDMOND: Point of order, Mr Speaker.

Members interjecting:

The Hon. M.D. RANN: Oh, you don't want to hear.

The SPEAKER: Point of order, the member for Heysen.

The Hon. M.D. RANN: Go and take an overseas trip so that you can escape—

The SPEAKER: Order! The Premier will take his seat. I think I know what the point of order is.

Mrs REDMOND: Relevance again, sir.

The SPEAKER: Yes. Premier, the question is about the ALP's policy on uranium mines.

The Hon. M.D. RANN: I was just trying to point out that sometimes you have to admit you are wrong to do what is right. At the start of the campaign we thought, 'How are they going to pay for all these promises that they make?'

Members interjecting:

The Hon. M.D. RANN: They don't want to hear.

The SPEAKER: Order!

Mr WILLIAMS: Mr Speaker, you have already reminded the Premier of the relevance of the question.

The SPEAKER: Order! I have not even heard what the Premier is saying yet, so perhaps if you could just give the Premier a moment and take a seat.

The Hon. M.D. RANN: I will tell you what we will do: seriatim, we will answer your question first, and then we will answer the deputy leader's interjection secondly.

Mr Williams interjecting:

The Hon. M.D. RANN: Oh, you only want your answer. You don't want to spoil it. You really make me nervous. You know that, don't you? You really do. I have been reading about this. In fact, I was thinking about taking a trip down to your electorate in order to avoid your scrutiny in parliament. I have been reading about it in the paper. Anyway, the simple fact is that I believe that there will be a change in the national ALP policy on uranium next year in terms of the 'no new mines' policy. I am convinced of that; other people might not be. In any case, it makes no difference to what is happening here with the expansion of Roxby Downs, or with Beverley and Honeymoon. That is my point. Going back to the previous question by the deputy leader, because I know that she would want me to clarify this—

Ms CHAPMAN: Point of order.

The Hon. M.D. RANN: She doesn't want to know.

The SPEAKER: Order! I uphold the point of order. If the Premier wants to clarify his answer to a previous question, there are other means by which he can do so.

Mr WILLIAMS: Having recognised the importance of uranium mining to the future of the state, will the Premier, as the Leader of the Government, now enter the debate and put the case on behalf of South Australia for the repeal of the national 'no new uranium mines' policy of the Labor Party? In his ministerial statement today, the Premier stated, 'This government fully supports the uranium mining industry in our state.' He further claimed that especially uranium mining will become significant to the state's economy over the next 30 years. Several of his interstate counterparts, and a number of federal Labor members, have publicly stated their opposi-

tion to any changes, yet the Premier refuses to enter the debate.

The SPEAKER: Order! The member for MacKillop's explanation is exactly what I am talking about when I suggest to members that they keep their explanations short and to the extent necessary to explain the question. It is not an opportunity to offer argument in support of their question. The Premier.

The Hon. M.D. RANN: Thank you, sir. I kind of wonder where the future deputy leader of the opposition (or whatever his ambitions are) has been. I have just recently been in London where I talked about this issue. Before I went away I talked about this issue. I met with mining companies in Britain and talked about this issue. My view is that the Labor Party's national no new mines policy will change at the next ALP conference.

Mr Williams interjecting:

The Hon. M.D. RANN: And I would be very happy to speak to and support such a motion. I have said that many times. In fact, I did television interviews on this matter today. However, I am very relaxed about it. I know the member thinks I am terrified every time he stands up to ask a question—

Mr Williams: You are terrified of Peter Beattie.

The Hon. M.D. RANN: I am terrified of Peter Beattie! Let me tell members of the house that my job is to act in the best interests of South Australia, and it is in the best interests of South Australia to support the expansion of Roxby Downs. It is in the best interests of South Australia to secure the biggest mining boom in the history of this state, which is why we announced the PACE initiative in order to encourage a record level of mining exploration in this state. But, getting back to the other issue, I am ad idem with the honourable minister who assists me in public sector reform.

Ms CHAPMAN: Mr Speaker, I have a point of order.

The SPEAKER: Order! The Premier is out of order.

CURRENT LETTUCE APHID

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

Leave granted.

The Hon. R.J. McEWEN: Those members who are interested in currant lettuce aphid may wish to remain in the chamber. I wish to advise the house of the recent detection of currant lettuce aphid (CLA) within the state. CLA is a pest of lettuce that can be moved over significant distances, both by wind-assisted flight and the movement of infested produce, making it a difficult pest to contain. CLA was first detected within Australia in Tasmania in early 2004. It was subsequently detected in southern Victoria in May 2005 and, despite the imposition of interstate quarantine measures, the pest has continued to spread across south-eastern Australia. Earlier this year it appeared in the Sydney basin area of New South Wales.

Since its initial detection in Tasmania, the movement of lettuce products and other potential CLA hosts into South Australia has been restricted. These restrictions have been vital in delaying the arrival of CLA into South Australia and given the local lettuce industry, in association with research-

ers and the national industry, valuable time to prepare strategies for managing this pest.

Unfortunately, CLA's arrival in South Australia was confirmed on Tuesday 9 May following a report from a local lettuce grower. A subsequent survey conducted by a team comprising both industry and PIRSA representatives has now confirmed the presence of CLA at several sites on the Northern Adelaide Plains and at one site in the Adelaide Hills. Given this distribution, the ability of the aphid to fly over significant distances, and the presence of a number of alternative weed hosts of the pest within production areas, South Australia can no longer justify interstate restrictions based on preventing the introduction of CLA. For this reason, these restrictions will now be revoked.

GRIEVANCE DEBATE

TRAINING LOGO, STATE SPONSORED

Mr PISONI (Unley): A lot has been discussed recently about skills shortages and youth training. Today we heard the further education minister supporting the increase in the adult apprentice wage and claiming that it was good for training opportunities in South Australia. At the same time, we heard Business SA condemning the decision, claiming that it would add to the already high costs of training and have the opposite effect.

I think what the minister fails to understand—most probably because he has never employed anybody—is that, the more it costs to employ staff, the fewer the jobs that can be offered. He said last week, 'I am hoping, of course, that Business SA and, indeed, industries will see this as an opportunity (1) to attract people to their industries and (2) to keep them there.' How does that work, Mr Speaker? Make it more expensive to hire apprentices, and the minister thinks that businesses will see that as an opportunity. They are the words of a true business mind, I must say. Put the price up and you will increase demand. David Jones, Coles Myer and Woolworths must have it all wrong. When they are looking to shift stock, when they want to increase sales, they drop the price. But, according to the minister's logic, they have it wrong; so, it is simple economics.

Mr Koutsantonis: You just want to get rid of competition.

Mr PISONI: You have to make it attractive for business. Tweaking at the edges does little to change the situation. If the government is serious about dealing with the skills shortage, it should look at investing in skilling up consumers. They are the ones who place the price pressures on businesses to cut costs in order to attract customers. Because of the increasing competitive nature of doing business in a deregulated environment, smaller businesses, in particular, cannot commit to training contracts and do not consider trainees or apprentices as staffing options. I suggest that the government should be proactive rather than reactive on this important issue. I believe that the government can play a role by creating an environment for training that is consumer-driven. Yes, give consumers the tools to reward businesses that train staff by assisting consumers to identify what they are buying.

I believe that the state government should introduce a trainee and apprenticeship logo for qualified employers. Of course, this logo would need a public awareness campaign for it to have any impact, and this is where the government can help. I suspect that the awareness campaign would cost only

a fraction of the \$2 million that was spent by the Rann government on a feel-good political advertising campaign in the lead-up to the last election. The time has come for the government to recognise the importance of trainees and apprentices by training the community to consider those companies that invest in our skills base by committing to training our youth. An easily identifiable traineeship and apprenticeship logo should be developed and displayed by qualified employers, who could display the logo on advertising material and at the point of sale as part of their overall marketing strategy. For example, I refer to the panel beater who trains a spray painter, the small cafe owner who trains a cook or the hairdresser who takes on an apprentice.

The scheme would be similar to the Australian Made logo, and it would let customers know that they are supporting a business that is supporting local youth and their skills development. The logo would identify a business as one that invests in training and, just as importantly, it would give the consumer the ability to identify businesses that offer training to our kids. In turn, they can offer their support by choosing their product or service in place of others. The scheme could be promoted by means of a government-sponsored awareness campaign to encourage businesses to employ more apprentices and trainees as they respond to market forces. This would enable consumers to make an informed and qualified choice when comparing products and services for value.

It is good for business and it is a great opportunity for individuals to make a difference by simply spending wisely. When people buy, particularly with discretionary spending, they buy not just the product but the experience. It is a win-win situation when the consumer knows that they can contribute to our state's future and our children's wellbeing whilst enjoying quality local goods and services. I believe that this is a chance for South Australia to take the lead, as it once did, when it was a progressive state, to be proactive on training for this state and to take the initiative for a nationwide awareness campaign for trainees and apprentices, expand opportunities for our youth and reward businesses that train.

WEST BEACH TRUST/ADELAIDE SHORES

Mr KOUTSANTONIS (West Torrens): I rise today to grieve on the West Beach Trust/Adelaide Shores organisation. The Adelaide Shores Trust was set up by this house when West Beach was developed.

Dr McFetridge: Remember Marineland?

Mr KOUTSANTONIS: Remember Marineland? Yes; I used to go there as a kid, though not as a parent. It was set up to give the local residents of the western suburbs access to beachfront, athletic facilities, hockey fields, golf and other sporting activities, and it has done a good job. It also has a full-time caravan park. Obviously, this caravan park takes caravans and campers, and it has a series of cabins that you can rent in summer. These are becoming very popular, given the close location of West Beach to the CBD and to tourist precincts such as Glenelg. I understand that every summer it is one of the first caravan parks in South Australia to be filled; indeed, I understand that there are bookings well into the future with active campervanners using the facilities.

What people forget, though, is that there are permanent residents who live in caravans at this caravan park. These are not wealthy people, they do not have a lot of assets—in fact, probably the only asset they have is the caravan they live in—and these caravans may not have been off the property for 20

or 30 years. I believe that these caravans are being driven from the park because the current management board does not want to see full-time residents living there. Of course, what they are really saying is that they want to change the amenity of the area because they think the permanent caravans may be downgrading the park and because the full-time leases are on a different rate and more could be obtained if they were given out casually to visiting campervanners.

I have one example (and I have written to the Minister for Housing about this) of a 75-year old gentleman who came to see me about being financially forced to leave the park because of the way rates and expenses are going up. He was very thankful that the Rann government had given him concessions on electricity, water and the emergency services levy (being at a park) which were not previously available, but he literally has nowhere to go. All he has is his caravan. I have made an application for him to get Housing Trust accommodation. That may be a bit difficult, but I am sure we will find him something.

I know the minister is very concerned about this and I am also very concerned about it; I know that there is also a local councillor on the board who is very concerned about the way the caravan park is being run. If the West Beach Trust is just about making money and just about providing interstate visitors with a place to park their caravan for two weeks, and if they are going to throw a 75-year old man out on the street because of it, it is just not on. It is not what I want to see happening in my constituency, and I am not happy about it. I wonder what kind of society we are becoming when we say to 75-year old men, who have no relatives in this state and who have nowhere else to go, to 'take your caravan and leave', by making the rent and amenities at the park out of their reach.

This was a problem about four years ago, and I thought we were getting our heads around it by having something simple like a 'no new tenant' policy being brought into the park. As people moved on the sites would then become vacant lots. However, the current management of the West Beach Trust does not want that policy; it wants them all out and it wants them all out now. It may not be saying that publicly but, through the financial burdens it is placing on the residents, what it is saying is, 'get out'. My father is about the same age as this gentleman and, if he did not have his house or his assets and he was living in a caravan park and was told to leave, where would he go? This man comes to my office, and I think he is about two years away from living under a bridge—and the only reason he knows to come to me is that I doorknock there.

LEGAL SYSTEM, CULTURAL DIFFERENCES

Mrs REDMOND (Heysen): Today I want to raise a serious question that needs to have the minds of all of us and the wider community applied to it. It is an issue that has been in the media quite a bit—in the last couple of weeks, in particular—and it is the issue of the extent to which cultural background and cultural sensitivities and so on should impact on the way we deal with our legal system. I want to make it quite clear at the outset that I come here not only as a lawyer but also as someone who had quite a bit of time up on the Far West Coast acting for an Aboriginal tribe. I actually was bestowed an Aboriginal name.

Dr McFetridge: What was that?

Mrs REDMOND: My Aboriginal name was Joondiya, which means dolphin. I spent a lot of time with the

Aboriginal community, and I have a great deal of sympathy. I think we need to take into account cultural factors, but we need to be very careful about the way in which we go about this. I know from some people who have spoken to me about Nunga courts that they are considered to be highly successful, and that may also be the case. My dilemma comes because I fear that, if we simply go down a path of having separate courts for a separate cultural group, without stopping to think about where it is leading us, we will end up creating by stealth a system of apartheid, and I do not think that is what anyone in this country wants.

Having come here originally from Sydney and, indeed, having lived in Cronulla, where we had those recent race riots, I am most concerned about the direction in which our country goes in terms of dealing with racial difference. I think there are some serious questions we need to ask. I believe, certainly, that it is appropriate for every judge or magistrate, in coming to conclusions about the appropriate sentencing of a person, to take into account that person's background, and that includes their cultural background. However, as soon as we start to say, 'Well, because of that cultural background, you don't have to obey the same laws as everyone else,' then we get into difficulty. We can have a fairly straightforward path in terms of what the consequences will be for the breach of the law—and whether that means going up to the lands and being taught more about tribal custom and culture as an appropriate mechanism to get one young person back on the track, which might not be applicable for someone from another cultural background—that is one thing. But, to say at any stage that someone, because of their cultural background, is going to have different laws applied to them, in my view leads us down a very risky path.

By way of example, I will inform the house about an issue that was raised at a women's constitutional convention I attended in the first year I was a member of this place. It was a pretty useless convention, basically, but one thing that came out of it which stood out for me was that a group from Tasmania complained that, because of the federal constitution guaranteeing freedom of religion, they had been faced with a situation where a woman from a particular religious background had come to a women's shelter seeking refuge because she was being bashed and abused by her husband and they were forced to relinquish her back to the arms of this person who was her abuser because of his claim that he had freedom of religion and that, under his religion, she was one of his chattels and he had the right to treat her in that way.

We go down a very dangerous path as soon as we get to a point where we are not saying that in this country everyone is going to be faced with having to obey the same rules; we are not going to impose religion. We even may need to think about amending our federal constitution, because I think that freedom of religion needs to be restricted to freedoms so far as it does not impinge upon the freedom of any other individual and not be an absolute freedom. I think we need to think about this issue, and we need to engage the public in a broad debate so that we can think very clearly about where we go in recognising cultural difference and, indeed, encouraging cultural difference and making it an allowable factor no matter what someone's cultural difference is for a judge, magistrate or whoever is making a determination about someone to take that background into account, but without getting to the point where it becomes an excuse and excuses behaviour which in all other respects is immoral and illegal. For that reason, I call on the government to start engaging in a wide-ranging public debate on this issue, so that we do not

create apartheid by stealth in our society, so that we do think about what we are doing, and so that we recognise and value other people's cultures, but without getting to the point where we give them a different set of laws.

CITY OF CHARLES STURT

Mr RAU (Enfield): I rise today, unfortunately, to speak again to the parliament about the activities going on in the City of Charles Sturt. Unfortunately, I have to get back to the old chestnut of the use or misuse of telecommunications by the administration of that council.

I would like, briefly, to set for the record the background to this matter. The City of Charles Sturt requires all its elected members to communicate through a centrally controlled network. They use the fig leaf of the State Records Act to protect the true motivation for this—which is, clearly, to have control and supervision over communications not only between elected members and one another but also between elected members and constituents who might contact them. This pernicious system, which is operated by the administration, sets about trapping, censoring and interfering with free communication between elected members and their constituents and, indeed, with one another.

I have raised this issue previously. It was put to me by some people, including people who know a little about the council, that I was being a little harsh, so I thought that in the interests of science I would conduct an experiment. The other day I sat down at my computer and went to that well-known subversive site which is operated by *The Advertiser* newspaper. *The Advertiser* newspaper, as part of its subversive activities, has an aspect called 'news photos'. A person can find a photograph which has appeared in *The Advertiser* and, if they want to, they can purchase it over the internet. I was fortunate enough to find in 'news photos' a photograph of two councillors, three photographs of the mayor, one photograph of the deputy mayor and a very fine photograph of the chief executive officer. I am particularly impressed with one of the photographs of the mayor, because the photograph has the mayor bedecked in his full regalia. It is a rather splendid photograph of the mayor holding up a basket, which appears to be full of Coco Pops and other cereals. It is a very provocative photograph for anyone who is concerned to censor dangerous material or cereals.

I forwarded these seven photographs from this dreadful *Advertiser* site to a councillor. I was advised that within moments the councillor had received a message from the electronic surveillance system to say that 'these dangerous materials have been intercepted and will not be released until our group of surveillance officers have had an opportunity to look at them'. I understand that it took 12 hours for them to look at the photograph of the mayor holding the Coco Pops before it could be released to the elected member.

After that I decided that I might do something really bad. I simply sent a text message saying, 'Climb Mount Fujiyama', which, I understand, was the code word used by the Imperial Japanese Navy to launch the attack on Pearl Harbour. That went straight through. The point I am trying to make is that this scheme, which has been set up and which is masquerading behind the fig leaf of the State Records Act requirements, is completely unreasonable; it is an interference with free speech and it is an interference by bureaucrats with the operations of elected members of a level of government. It is not satisfactory simply for there to be an audit of this scheme—which I understand the CEO is now contemplating.

The solution is abundantly clear. The solution is that elected members should be given the opportunity to select their own service provider, to have their own equipment and to be reimbursed for the reasonable cost of so doing, so they can get on with what they have to do, without being interfered with in this way. If it is going on in one place, I hope to goodness it is not going on in other places. But if it is going on all over the place, this is an unreasonable interference with the democratic rights of elected individuals in the third tier of government. It is not reasonable and it has to stop.

SOUTH ROAD LAND ACQUISITION

Mr PENGILLY (Finniss): I want to talk about the compulsory acquisition of land on South Road. The issue is not the acquisition of the land, but, rather, the prices being paid and offered to some residents, in particular to a resident situated at 532 South Road who has contacted me. She wrote to the minister in March and is yet to receive a reply. A valuation was done by the Department of Transport valuer, and this valuation has to be used rather than one done by an independent valuer.

This valuation is some \$20 000 less than a valuer from the real estate industry puts it at, and it is affecting other neighbours in the vicinity. They understand that they have to move, but they would seek to have a fair and equitable sum paid for their property. This particular property was valued by the Department of Transport's valuer at some \$220 000. The person involved has a disabled son and has spent nine months searching for another residence of similar capacity for herself and her son. She found one in the Campbelltown area and signed a contract subject to the sale of her existing property on South Road and subject to the value of the current unit being \$240 000-plus, which would enable her to shift. However, she has hit this hurdle in so far as she is not getting a response from the minister and feels as though she has been treated badly by this Department of Transport valuer.

He based his valuation on some 30 townhouses over 12 months, which is fine if the correct townhouses are valued. However, he did not spend enough time there. He spent 15 minutes, walked around the inside of the house, had a look and left. He did not take into consideration the renovations that had been done to the town house that the person involved is in, such as rendering, a new kitchen, and a new bathroom. It has had new reverse cycle airconditioning in the past 12 months and a host of other improvements such as a new laundry, new and attractive light fittings, a private good neighbour colourbond fence, a security door, and I could go on. The value of that property, in her opinion, is considerably more than the \$220 000 that has been offered.

The Department of Transport valuer who valued the property has apparently compared apples with lemons rather than apples with apples, and I believe that she has been treated rather disgracefully by that government valuer. She is currently under medical care due to stress over the issue. The contract that she signed enabled her to move before the end of this financial year, and she is extremely frustrated that she is not getting any sense out of the government's valuer and extremely disappointed that she has had no response from the Minister for Transport. If the government is going to acquire this land and treat people with decency, respect and equity, I urge that it takes the department to task, takes the valuer to task and starts getting some commercial realisation

into it, and starts to make it affordable for people to sell the property they are in to enable the road to go through.

There is no problem whatever with that. However, there is a great deal of a problem in believing the valuation by the departmental valuer, which is clearly considerably under the commercial reality by some \$20 000 or \$30 000. This issue is causing the person a great deal of distress and I would ask that the Minister for Transport takes the matter under his care and control, that he responds to the letter, takes the valuer under his wing and perhaps urges him to become realistic and treat these people along South Road, where the land is being acquired, with some sort of decency.

VOLUNTARY REDUNDANCY SCHEMES

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

Leave granted.

The Hon. M.D. RANN: The deputy opposition leader asked me in question time whether I agreed with the Minister Assisting in Cabinet Business and Public Sector Management's remarks that future voluntary redundancy schemes could not be ruled out in the next four years. I misheard the question and answered, 'I do not agree.' Of course, I should have said 'I do agree', because voluntary separation schemes have been and will continue to be part of our public sector management strategy.

However, this is very different from the cuts of 4 000 staff proposed by the opposition before the election, which it could only have achieved through sackings. That is the difference. That is where I do not agree. I do not agree in the Liberal approach of compulsory sackings compared to our voluntary approach.

NATIONAL RECONCILIATION WEEK

Ms BEDFORD (Florey): This week is, of course, National Reconciliation Week and I take this opportunity to acknowledge the Kaurna people, who are the traditional custodians of the Adelaide Plains, the land on which we meet, and, of course, most of us live, and I acknowledge their relationship with the land. In saying that, it is timely to remember this land has been cared for for thousands of years by our indigenous people, the oldest continual civilisation on the planet Earth. Since white settlement traditional owners have been removed from their lands and that is why it is important to recognise the significance of native title claims. It is also important to understand particularly why and how this system works. There is a permit system, of course, to visit the lands and as a courtesy this allows the traditional owners to know who is moving through their communities. It is also a safety measure and that is understandable when you consider the dangers in the remote lands of this state and how hot and desolate they can be.

Reconciliation Week begins with Sorry Day, which is 26 May, and this year it was celebrated on a Sunday, with a fabulous event in Tarndanyangga, which is also known as Victoria Square. The day was centred around tents that were erected near the fountain, representing the missions and homes in South Australia. There was a free barbecue, dancing and music, handouts and posters, project information for children on places and issues relating to the stolen generations, and it was made available to the general public free of charge. From all accounts, it was an absolutely fabulous

function, which unfortunately I was unable to attend as I was down in the South-East with the Generations in Jazz festival.

As is often graciously said by Kaurna elders in their traditional welcomes to country, 'Let's not dwell on the past, but let's not forget the mistakes of the past. Let's walk together in harmony.' The theme of this year's Reconciliation Week's program is 'Me. You. Us Together'. In thinking about that, it reminds us that reconciliation is not something indigenous people do alone; it is something non-indigenous people must participate in actively every day of the year, rather than just for a week here or there every 12 months.

How have each of us here in this place embraced indigenous people in our electorates? What have we done this year to organise functions within our electorates? At the very least, what have we actually participated in this year locally and throughout the state? Dozens of activities are in this program 'National Reconciliation Week' produced by the Reconciliation Council. In particular I would like to talk about a couple of them. I attended one yesterday at the University of Adelaide, which was the Reconciliation Handshake Ceremony. The University of Adelaide has commissioned a sculpture by artists Karen Casey and Daryl Cowie to mark the reconciliation process. The sculpture's concept is based on the imprint of a handshake. It is a very gooey activity, but a lot of us actually participated in it yesterday, and those handshake plasters will be made into a sculpture which will be on the lawns of the University of Adelaide. It is not only for the dignitaries that attended—I attended on behalf of the Premier and the minister—but it is also for community people, and there were hundreds of university students involved in that activity.

Also, how many of us in this place have made it our business to be involved, on an ongoing basis, with the needs of indigenous people and to learn first-hand of the difficulties they have in accessing suitable housing and the extra health and education services needed to enable them to participate in our communities and gain the skills required to secure meaningful employment? It is a sad fact that the small number of indigenous people who contribute to super have a much reduced opportunity to access it, as their life expectancy is still around 20 years less than non-indigenous people.

South Australians are committed to reconciliation, and since the symbolic Bridge Walk it is heartening to see the many ways that the broader community participates in activities when they are arranged and publicised. An example of that was, as I said, the function that I attended yesterday at the university, but also the way in which indigenous health and disability is recognised in the collaboration between Metropolitan Domiciliary Care and Options Coordination. An MOU was signed at the hub of activities, which is the Museum, and I want to thank the Museum for making the space available for people to attend those functions. It is also important for us to remember that the minister will be hosting a function here at parliament this week for the young indigenous people of the state, and I hope all members will attend.

Time expired.

**GAS PIPELINES ACCESS (SOUTH AUSTRALIA)
(GREENFIELDS PIPELINE INCENTIVES)
AMENDMENT BILL**

Adjourned debate on second reading.
(Continued from 11 May. Page 279.)

Mr HAMILTON-SMITH (Waite): As the lead speaker for the opposition, I indicate to the minister that the opposition will be supporting the bill which he introduced on 11 May this year and which proposes amendments to the Gas Pipelines Access (South Australia) Act 1997. The bill forms part of a national legislative framework for gas and electricity that was established by the Ministerial Council on Energy (MCE). South Australia is the 'lead legislator' on energy and will therefore be the first state to implement this legislation. The other states will adopt South Australia's law through their application acts. I understand that the government will introduce a larger legislative reform package, which includes the new National Gas Law and amendments to the National Electricity Law in the spring session.

In considering the bill, I thank the minister; his chief of staff, Don Frater; the departmental officer, Vince Duffy, Director of Markets and Sustainability; and Anni Foster from the Crown Solicitor's Office, for their briefing on the bill. I thank all the stakeholders who have provided me with their comments—in particular, Santos, AGL, Envestra, and ETSA Utilities, amongst others. I congratulate all stakeholders in the energy industry who have contributed in the process of creating this nationally uniform legislation. It is worth just considering where we have come from.

The Australian energy network sector is an increasingly vibrant one. The companies who will be affected by the bill have an important role in distributing a reliable supply of energy sources to the millions of consumers around Australia and, indeed, within South Australia. The energy network business is to deliver electricity and natural gas to over 12 million customer connections across Australia. Approximately 800 000 kilometres of electricity distribution powerlines and 75 000 kilometres of gas distribution pipelines are used. These networks are valued at more than \$28 billion, and each year energy network businesses invest more than \$2 billion in network reinforcement and expansions. Of course, there are considerable economic benefits as a consequence, as these energy networks enhance the reliability and competitiveness of South Australian businesses and industry by providing reliable and constant access to energy at cost effective distribution rates. There are a lot of regional benefits from reliably and cost efficiently distributing that energy through to all parts of South Australia.

Of course, this capability also helps to encourage the development of new regional industries, meaning more jobs, particularly for those living in country areas—another important reason to support the bill. In South Australia alone there is growth in demand. Residential peak energy demand in this state is expected to grow by an average of 6 per cent; compare this with the expected overall residential energy demand growth of 2 per cent. These growth patterns mean that more network infrastructure will be needed to meet peak demand that will be used on only a few days each year. Of course, gas is vital to the provision of electricity within the state and has been a matter of considerable debate in the parliament over many years.

There is considerable growth in capital expenditure need within the state and, really, that is what the bill is about. In

the next five years, for example, ETSA Utilities expects to invest over three-quarters of a billion dollars in capital expenditure to meet network growth and replacement needs. Expenditure to address demand growth makes up approximately 6 per cent of expected capital investment. The provision of gas to provide for this investment is, of course, vital. The industry is facing a number of challenges, not the least of which is not only the provision of cheap, affordable and accessible gas but also, as the parliament has heard, a considerable skills shortage within the industry that will continue to worsen unless we do something about it. These new infrastructure projects will, of course, put further stress on those skilled tradespeople.

The industry is looking for guidance and leadership from governments at all levels; particularly, government policy and economic regulation needs to be clear, concise and viable for the industry. It is looking to governments to develop a national energy policy and regulatory and policy environments applying to energy networks that simply work for the industry and for users. Major decisions taken by governments in relation to the national energy policy have included to date the establishment of new national bodies to govern and regulate Australia's energy markets, including the Australian Energy Regulator (AER) and the Australian Energy Market Commission (AEMC). The energy network sector has a strong interest in the creation of these bodies and how their operations will impact on network activities, and the sector is working with governments to ensure that the new bodies operate under appropriate governance and accountability arrangements.

Access regulation to energy networks is, of course, significantly what the bill is about. The critical issue for the industry is the need to reform the current price and access regulatory regimes applying to the gas network. These regimes enable third parties to move electricity or gas through energy networks that they do not own, and they also determine how much the owner of an energy network can charge for the use of its network. Gas networks are regulated under the National Third Party Access Code for Natural Gas Pipeline Systems (the National Gas Code), while electricity networks are regulated under the economic provisions of the National Electricity Code.

Additionally, the Productivity Commission's review of the gas access regime has been an important review of access regulations as they apply to the gas network sector, and it is also anticipated to influence the more generic debate on energy regulation. Importantly, the review is expected to lead to comprehensive reforms to the gas access regime, as I have mentioned at the opening of my remarks. This may see a rebalancing of access regulation approaches to reduce the cost and impact of regulation on network sector businesses and encourage more appropriate ongoing investment in network development and maintenance, while also maintaining an appropriate regime for ensuring open access to networks. The industry is looking for specific improvements to the regime that it hopes will include: a light-handed price monitoring option as an alternative to cost-based regulation; an objects clause that focuses on economic efficiency and investment; raising the threshold at which the cost-base price regulation is applied; and tightening the guidance given to regulators regarding approvals of access arrangements and reference tariffs. Importantly, the review of the gas access regime has highlighted that the existing system of access regulation is discouraging adequate ongoing investment in gas networks development in Australia. The industry is hopeful that the

review's outcomes will be reflected in the national energy policy and adopted by governments and regulators. The purpose of this bill within the context of what I have just mentioned is to provide greater certainty regarding the regulatory coverage of greenfields pipelines, thereby encouraging further investment in new pipelines.

The bill is specifically targeted at the proposed Papua New Guinea (PNG) to Australia natural gas pipeline. The pipeline will run from the PNG highlands to Port Moresby and down to Gladstone in Queensland and Moomba in South Australia, providing a new gas source for the south-east Australian market. Should any member seek further information on this project, which I will not go into in detail during this address, I commend the web site www.oilsearch.com.au/html/png_gas.cfm. Currently, there is regulatory uncertainty for investors in new pipelines, as a new pipeline is not subject to any regulation under the gas pipelines act unless an application for coverage is made. However, an application to impose regulation can be made at any point in time by a third party, creating regulatory uncertainty for investors. This bill contains two measures to improve regulatory certainty and encourage investment in gas pipelines.

Firstly, it has a binding no-coverage ruling. The proponent of a greenfields gas transmission pipeline (or distribution network) could apply to the National Competition Council for an up-front coverage assessment. Following assessment, the National Competition Council could make a recommendation to exempt a pipeline from regulation for 15 years. The relevant minister could then provide a binding 15 year no-coverage ruling. This exemption would apply to both domestic and international pipelines. Secondly, the bill provides for a price regulation exemption in that it establishes the option of a 15-year price regulation holiday for greenfields gas pipelines. This exemption would apply only to international transmission pipelines which originate in another country and bring gas from a source outside Australia. The National Competition Council would make recommendations, with the commonwealth minister making the final determination.

The government has explained, during its briefings to me and in the second reading, that there has been wide consultation with stakeholders and that there is no opposition to the bill because everyone is looking for a new gas source for the South-East Australian markets. However, with its leave, I have taken the liberty of contacting most of the key stakeholders myself who, I say to the house, have largely confirmed their agreement with the bill and the majority of its contents.

I want to put on the record some of the feedback that I have received from the industry for use by members. Firstly, Santos Pty Ltd, which of course has a keen interest in the bill, has no objection to the concepts behind the bill and supports the principles of regulatory certainty, especially for major projects and arm's length commercial agreements as envisaged between foundation shippers and infrastructure proponents. It has some general observations and comments on the bill, in particular, the public consultation for 'binding non-coverage rulings', which it feels is important where there is full consideration of the public benefit. It also feels that the 'price regulation exemption' should not limit access to an international pipeline by either international or domestic stakeholders in the future. Approval of a 'limited access arrangement' where third parties seeking access to the pipeline have recognised rights should be a condition of the

exemption. This should include access rights to both ship and gas, and to nominate alternative receipt and delivery points.

Santos feels the bill should make allowances for review if there are material changes in circumstances. For example, if gas were not flowing from PNG to Australia, would the exemption automatically terminate? If so, under what circumstances? Pipelines generally go through expansions which may include new or loop pipelines and additional compressor stations, which add throughput capacity during the pipe's lifetime. Santos is of the view that material expansion of the pipeline should not be automatically included in either a previous ruling or an exemption case.

I turn now to AGL which has made comments generally supportive of the bill. AGL understands the implications which the bill contains and the national perspective it brings. AGL is of the view that it provides regulatory certainty, and I draw to the house's attention that AGL owns 10 per cent of the gas and some of the reserves. Sales agreements worth some \$4.5 billion from owners of gas are out there in the marketplace and a number of tenders are presently underway. Generally, AGL is pleased that the bill will enjoy our support and that the matter is proceeding.

I draw to the house's attention a media release from AGL, dated 9 May and entitled 'Regulatory certainty for PNG pipeline' in which AGL publicly expressed many of these views. It welcomed the announcement by the Ministerial Council on Energy (MCE) on the National Gas Pipelines Access Regime as a 'significant and positive development for the Australian component of the proposed Papua New Guinea (PNG) to Australia natural gas pipeline'. AGL's Managing Director, Paul Anthony, said that the announcement provided 'certainty on federal and state government policy' and that it was 'a significant step in the development of the proposed PNG to Australia pipeline'. He stated:

The announcement facilitates the setting of tariffs on the Australian component of the pipeline through commercial forces for the first 15 years of the pipeline's operations rather than by a regulatory process. All buyers of PNG gas will benefit from the arrangements requiring the pipeline to provide open access and non-discriminatory pricing.

Mr Anthony added that the MCE's decision was consistent with the original third-party access arrangements for the PNG pipeline which were established through a process set out by the Australian Competition and Consumer Commission (ACCC) and the Queensland government in 1998.

I turn now to the Envestra Corporation. I advise the house that that entity has no significant concerns with the proposed bill. Envestra feels that it reflects discussions that have taken place between the industry, including the key associations—namely, the Energy Networks Association and the Australian Pipelines Industry Association—and government and regulators which, over the past two years, have also been involved. Envestra feels that it is a welcome initiative to encourage the development of further gas transmission pipelines and associated interconnectivity of the national gas markets now and in the future. The bill may have limited importance to Envestra, given that it is not involved in any of the 'international' pipeline developments. The opportunity for greenfield developments like those contemplated in the bill is limited. However, Envestra sees it as a welcome step industry-wide and economy-wide.

The minister referred in his second reading speech to the anticipated introduction to parliament in the spring session of the larger reform package. Envestra is vitally interested in that development, and it notes that the direction for this law

is to be considered at the MCE meeting, one of which was held in May, and future meetings are scheduled. Ministers may on occasions talk of the relative success of the current access regime versus that which applies to the electricity industry, particularly in its ability to ensure an efficient and timely regulatory process and to allow owners of substantial gas network investments to be responsible for the future efficient operation of those networks rather than have regulators assume that role. Envestra is hopeful that the MCE resolves on directions to prepare legislation that adopts the recommendations of the Productivity Commission's report of June 2004 into the gas access regime, having been commissioned by Treasurer Peter Costello in June 2003.

Envestra feels that these reforms are integral to the improvement of cost structures within the industry, reducing regulatory costs and the development of future infrastructure to support gas consumers in both regional and suburban developments and to the wider use of natural gas with its known environmental benefits within the community generally.

I advise the house that ETSA is generally happy with the bill. It feels that the bill has no particular impact on the operations of ETSA except, of course, to the extent that it has an interest in the provision of gas for the production of timely and affordable electricity.

In conclusion, the Liberal opposition supports the bill. We understand the reasons for its being brought to the house. We note that industry is supportive of the initiative. We are pleased that South Australia is taking the lead on this, and we see no need for the bill to go into committee so that it can be dealt with expeditiously and advanced to the other place forthwith.

The Hon. P.F. CONLON (Minister for Energy): I thank the opposition for its support. This is one of those occasions where the parliament works in a bipartisan fashion to achieve something that I believe is very important for the national interest, not simply our state's interest. The suggestions for the sort of regulatory certainty contained within this bill are not new; I place on the record my personal view that I supported these suggestions when they came forward from former senator Parer in the Parer report in, I think, 2002. I am grateful that the Ministerial Council on Energy in its usual breakneck—or, some would say, glacial—speed has managed to arrive at this. We hope it will assist in the creation of new pipelines to bring our natural gas ashore, which is, I believe, incredibly important to the national interest over the next few decades. Again, I thank the opposition for its support.

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

STATUTES AMENDMENT (ROAD TRANSPORT COMPLIANCE AND ENFORCEMENT) BILL

Adjourned debate on second reading.
(Continued from 11 May. Page 276.)

Mr HAMILTON-SMITH (Waite): As lead speaker, I rise to indicate that the opposition will be supporting this bill but it will be proposing some amendments. This is a different kettle of fish to the bill regarding gas regulation with which we have just dealt. This bill, which the minister introduced on 11 May this year, forms part of proposed national uniform legislation which has already been implemented in New

South Wales and Victoria and which is designed to improve safety in the heavy vehicle industry.

The opposition understands that the national model legislation was comprised of both 'essential' and 'desirable only' provisions. The South Australian bill adopts all the 'essential' and 'desirable only' elements and is more comprehensive than the legislation implemented in other states. The bill will implement the model national legislation through amendments to the Road Traffic Act 1961, the Motor Vehicles Act 1959, and consequential amendments to the Summary Offences Act 1953.

I draw the house's attention to the fact that there are quite a number of farmers and business people on this side of the house, and quite a number of people who have an interest in the workings of the freight industry and in the activities of those who use road transport or whose businesses or livelihoods depend upon it and, therefore, there will be some contributions from members on this side during both the second reading and the committee stage. I have also spoken to the minister about the need for the government to have time to consider some of the amendments we have filed, and he has indicated that the government will give them some consideration in due course. I am also aware of at least one private member who intends to introduce some amendments, to which I am sure the government will want to give its close attention before the matter is considered in committee. I am sure the arguments will be listened to with bated breath by all, because the issues that will be raised are very important.

The opposition understands the key features of the bill, in particular the 'chain of responsibility' provision which extends liability for road law offences to all parties who control or influence conduct on the road. This includes drivers, operators, loaders, packers, consignors and receivers. Employers and managers of businesses, directors of companies and partners may also be personally liable for breaches by an employee. The chain of responsibility provisions will apply to any breaches of mass, dimension and load restraint offences and will form the basis for future chain of responsibility provisions relating to other areas of heavy vehicle regulation.

A second provision contained within the bill is the 'reasonable steps defence' whereby all parties in the chain of responsibility must demonstrate that they have taken reasonable steps to ensure that their business operations have not caused or contributed to road safety breaches to avoid being held liable for mass, dimension and load restraint breaches. The bill also contains provisions for the registration of industry codes of practice. Compliance with an industry code of practice will be one way a business can demonstrate that they have met the 'reasonable steps' defence.

Further, the bill deals with categorisation of mass, dimension and load restraint offences based upon risk to safety, public amenity and infrastructure. Offences may be categorised as minor, substantial or severe with penalties increasing according to the risk category of the breach. There are new enforcement powers, which will apply to both heavy and light vehicles. I mention that specifically, because the opposition does have some concern about unintended consequences of the bill. The bill provides for an increased variety of penalty options and higher penalties—a new range of penalties that will give police, authorised officers and courts a variety of options to target the causes of road safety breaches, including a formal warning, a compensation order, a commercial benefits penalty, suspension, cancellation or

disqualification orders, and supervisory intervention and prohibition orders.

The opposition has conducted its due diligence on the bill and consulted with a wide variety of industry bodies and other stakeholders. It is noted that a significant amount of the consultation conducted by the government with industry was conducted back in 2002-03, and some stakeholders have raised concerns regarding developments since that time in relation to the proposed national model. Given that issue, industry has indicated that it is generally supportive of the bill. However, some concerns have been raised with me, for example, the issue of inequity of access to the reasonable steps defence. In our bill, the reasonable steps defence is not available to drivers and operators where a substantial or severe breach has occurred, but all other responsible persons in the chain of responsibility have access to this defence. This is a particular concern of the National Transport Insurance Corporation, which advises that this should be amended so that all parties have equal access to the defence.

The opposition also notes that arrangements differ in some states that have already introduced the legislation in one form or another. Industry has also expressed concerns that Transport SA and SA Police should not take a draconian approach to the legislation and that it is targeted at people causing the problem. I have reminded industry that it is one thing to hear from the department or from the government that they will interpret the law benevolently. I have cautioned them, however, that it is one thing if the law is changed to give the government and the bureaucracy powers, whatever assurances one might be given in an effort to get the legislation passed through this place, but what happens once the powers have been given to government is another thing altogether; and that one should be very careful about giving the government any power it does not wholly need or accepting any assurance from government or its officers that they will properly and sensibly interpret the laws and exercise the powers once given. Better not to give them in the first place, or certainly to qualify their provision, than to find later, when people change and circumstances move on, that police and other officers are taking a draconian approach to implementation. Many stakeholders (for example, members of the South Australian Farmers Federation) would like to see a more light-handed and educational approach to these laws, particularly in the initial stages.

Concerns have also been raised that the penalties contained in the South Australian bill are more stringent than those in other states. The question has been asked whether consistency with other states might have been preferred so that as drivers across borders they are not subject to variable codes of constraints and bylaws. Concerns have been expressed to the opposition about the powers to inspect and search and the fact that authorised officers do not have to be government employees but may be, for instance, contractors. I should say that there is a preference within industry for such powers to be limited only to officers with some legal training or some purposeful authority. Many in industry have also expressed the desire for further consultation and education on the impact of the legislation before it comes to pass.

I will go into a little more details in relation to some of the industry consultation, because it is relevant for the house to have their concerns placed on the record. For example, the opposition has contacted, amongst many other groups, the RAA, a group that I note the government likes to defile and describe, with no substantiation, as some sort of highly politicised outpost of the Liberal Party, without remembering

that when we were in government—and I shudder to tell the house—the RAA bashed us around the ears, just as much as it does the government, at every election and during every budget, seeking money and support on behalf of its stakeholders. I note, too, that the government completely overlooks the aggressive attitude the RAA takes to the national government of the day, regardless of its political persuasion, every time a federal budget comes out, when it does exactly the same thing.

The government would be well advised to listen to stakeholders such as the RAA and act on some of their concerns, rather than trying to bash them into submission. I did not notice the government trying to bash the AMA into submission when it came out during the election campaign with supportive comments in regard to the Labor government, and I did not notice the government bashing Business SA when it came out very supportive of the Labor government. It is just political schoolyard bullying to attempt to belittle and diminish industry bodies by accusing them of being politically aligned when they are simply doing what they should do, and that is work hard on behalf of their stakeholders.

Having given that preamble, I point out to the house that the RAA is supportive of the principles in the bill and many of its provisions, but it is very concerned about what might be in the regulations, and I share that concern. Certainly, it has been my observation that the devil is in the detail and that the real hurdles to jump often are contained in those regulations. The RAA supports the increase in the default maximum penalty under the Road Traffic Act to \$2 500, the increase in the maximum fee applicable to expiation notices issued for breaches under the Road Traffic Act to \$750, and an increase in the maximum fee applicable to expiation notices issued for breaches of the Motor Vehicles Act or regulations under the act to \$750.

The RAA also supports the proposed increase in the maximum penalty from \$250 to \$2 500 for the following offences under the Motor Vehicles Act: section 96 (failure to produce driver's licence or permit), section 97 (failure to produce licence or permit in court) and section 97A (failure of visiting motorists to carry or produce a licence). In relation to that particular point, the opposition does not fully agree and it has filed amendments to reduce, quite considerably, penalties for some offences, as it is of the view that tenfold increases in fines, particularly for provisional licence holders and learners, and some country drivers and people who are going about their ordinary business driving a light vehicle, are a little harsh. The opposition will explain why it feels that way during the committee stage. The amendments are filed and I bring them to the attention of the government.

Some concern has been expressed by industry, including the RAA, about the proposed amendment to section 98AAB of the Motor Vehicles Act to increase the maximum penalty from \$250 to \$2 500 for not carrying a probationary licence, provisional licence or learner's permit. In those three instances, of course, the opposition agrees with the RAA and it will be moving amendments, accordingly, for reasons which I will explain. Certainly, the RAA is of the view that the current maximum penalty is inadequate, but it is of the view—as is the opposition—that a tenfold increase is unnecessary. Concern has also been noted that there might be a need to amend the Road Traffic Act by deleting section 162A(2), which provides that a person must not drive a motor vehicle if they do not comply with section 162A (which prescribes requirements in relation to seat belts and

child restraints). The meaning of this proposed amendment is not clear and it may be that existing subsection (2) is superfluous, given the provisions of section 164A offences and penalties. Perhaps the government could consider that observation and clarify the situation during the committee stage.

There has been input from the South Australian Road Transport Association (SARTA), which I think is worth mentioning. Of course, it is of the view that the matter should be supported and it notes that it has been involved in consideration of the matter for an extended period. It has a central and very significant role, both within the state and nationally, in the development of the legislation. It is very pleased to see the legislation coming forward. It has discussed the legislation at length with a range of stakeholders and both the government and the opposition. It is another industry body doing its best on behalf of its stakeholders and members in a non-political and completely non-partisan way, simply lobbying for the interests of its members who are part of the trucking industry. SARTA notes that it is already law in New South Wales and Victoria, and it would be very concerned were it not to become law here in the near future. SARTA would like to see the bill progress swiftly.

It notes that certain customer sectors have made an art form of taking advantage of the competitiveness of the road transport industry for their commercial interest. It is of the view that in the process lives and the safety of road users, including truck drivers, have been put at risk. The opposition agrees with it on that fundamental point. Abuses involve serious issues, such as the overloading of trucks by customers eager to save money on freight and the outrageous abuse of truck drivers' driving hours, most typically by large distribution centres holding drivers and their trucks for anything from one hour to eight hours beyond their allotted load or unload time slot. At many high profile customers' facilities, SARTA argues that it has been routine for drivers to wait three to four hours past their designated slot, yet if the truck arrives 15 minutes or more after that designated time, even on a trip from Sydney, then the truck driver and the transport company are penalised.

This legislation should make those people liable, and they will have to demonstrate their innocence through the reasonable steps defence. Any responsible person or organisation acting within the law and with due care and responsibility will have no basis for concern in relation to these laws in the view of SARTA. The laws, quite rightly, hold everyone within transport companies, from the owners and managing directors right down to the drivers, fully accountable, as well. They all will be absolutely liable and will need to demonstrate their innocence through a reasonable steps defence. I note that the opposition will be moving certain amendments in respect of that defence. Indeed, the industry has already carried out a substantial amount of training and education within the trucking industry and beyond in regard to the forthcoming legislation. For example, SARTA has arranged facilitated four hour meetings with the principals and senior staff of each supermarket chain, one company at a time; and it did this because as a sector these are important and valued customers. There was simply a need to resolve the issues that the bill seeks to rectify.

Those relationships between the industry and the supermarket chains are apparently progressing well and it does look as though the bill will be received, when it passes, in a positive way, and that it will be able to be implemented. I have already mentioned National Transport Insurance, which

is a vital stakeholder in all this and which is, again, supportive of the bill. It made the point (and we think it a reasonable one) that access to the 'reasonable steps' defence should be equal access; that all should be able to access that defence. The opposition understands from its discussions with industry that other stakeholders are of the same view. For some reason, the government is not of that view and it ought to explain to us during the committee stage, if not before, why it has removed that defence for certain stakeholders.

The opposition would particularly like to thank the minister's liaison officer Mr Matt Pinnegar and the departmental officer Nada Petrovic, who was the project officer during the briefing on the bill. We appreciate the hard work that these people do in keeping us informed. As I noted, we would also like to thank the stakeholders who made contributions. There were many of them, but I would particularly like to thank the South Australian Road Transport Association (SARTA), the RAA, National Transport Insurance (NTI), the South Australian Farmers Federation, Flinders Ports, the South Australian Freight Council and many others who contacted us or gave us advice during the process of developing our response to the bill.

I congratulate all stakeholders in the transport industry who have contributed to a process of creating this national uniform legislation, particularly those involved in the heavy vehicle industry, who have shown their commitment to the safety of all road users. Overall, the bill is a positive step toward improving safety within the transport industry for the benefit of the industry and all road users, but I do have some concerns, as I have mentioned. I have filed amendments. Rather than my going through the amendments now clause by clause, the minister has indicated that he would like to view those amendments and consider them. I would be very happy to be contacted outside the house by the minister's staff to further elaborate on our concerns and why we are putting forward those amendments, but I would ask the minister to give them consideration.

They have come from the industry, and they may make the bill a better piece of legislation. I understand that the member for Stuart has filed some amendments of his own, which the government will also need to consider. Having said that, the opposition supports the bill, hopes that the government will agree to our changes and looks forward to it being advanced forthwith.

Mr PEDERICK (Hammond): I wish to speak briefly on what I believe will be the inequitable issue of grain carting off farm. Being a farmer, I am fully aware of the vagaries in weights of grain, the hectolitre weights that can vary greatly according to weather, etc. The general weighting of grain goes from about 12 bags a tonne (on the old scales) for your wheat, peas, etc., through to 18 bags a tonne for your oats, so there is a 50 per cent difference in the weight and you have to make a measurement on a volumetric scale when there are no weighbridges within cooe to check on your load.

I take issue with the expectation that a packer, loader or consigner, whatever you want to call the labourer or farmer who is loading the truck, can be absolutely responsible for an inaccurate measurement. Over time you get used to a visual assessment of how much weight is in either a semitrailer or a B-double load of grain, for whichever variety of grain you may be delivering. This is helped greatly by air bag indicator scales on some trucks, but it only works on a dead level surface, and there are not too many times when a truck will be on a dead level surface in a farming situation. Most likely,

it will be anything up to 50 to 80 kilometres from the nearest weighbridge, so I believe we need some tolerances in the bill.

From past experience, I believe you could have up to two tonnes of difference on a semitrailer load of grain in the 27 to 29-tonne range and the B-double could have at least a three-tonne difference on a person's visual assessment of a load. I agree with most aspects of the proposed bill, but there need to be some tolerances for any off-site loading of grain or any other primary product for people who do not have easy access to a weighbridge. To back this up, I have seen quite experienced truck drivers—and I am not having a go at the truck driving industry—load grain silo to silo, with access to a weighbridge where they are loading at ABB sites, having to run back and tip out a tonne or half a tonne to be within the legal limit.

I would ask the house to consider that, with loads that are not easy in the first instance early in a harvest, when people are trying to work out what the hectolitre weight of their grain will be in the load, there should be tolerances allowed in the bill for this and some smart thinking in this regard.

Mrs PENFOLD (Flinders): Moves to influence standard road rules across Australia are to be commended. Road transport is set to increase in the future, while private vehicles also are rising in number with the greater use of our roads through a lift in the mobility of ordinary people. Nevertheless, consideration must be given to the differences that occur across the nation when it comes to road transport. I have been contacted by constituents who are concerned about the lack of tolerance in the bill as it is applied to the carting of grain. I quote a letter published in the *Stock Journal* on 9 February 2006:

The Road Transport Authority's proposed ability to access the ABB Grain Ltd computer data of farmers' individual weigh notes, for use in the prosecution process, will issue in another Draconian and costly law.

I am not condoning overloading in principle, but due to the difficulty of judging the weight of grain from load to load, paddock to paddock, I feel farmers should be given at least an eight to 10 per cent tolerance on load weights (similar to Queensland's regulations).

This issue relates to about one month in the year for most farmers. We lack access to weighbridge facilities, and the suggested solution that we run our trucks half-full to avoid prosecution will lead to added frustration, faster trips and more road damage.

Through personal inquiries, I am disappointed to discover that neither the South Australian Farmers Federation nor ABB Grain is defending farmers' rights.

One could also add that this government has no concern for farmers. That is perhaps understandable since the members of the government have virtually no first-hand experience in primary production. They only see primary industry as a cow to be milked, as a source of government revenue.

It is a fact that profitable businesses contribute to government revenue and therefore the standard of living of all of us. But unprofitable businesses soon close, withdrawing revenue, creating unemployment, draining the public purse in many ways and, most important of all, lowering the standard of living for all of us. Slugging primary producers and their interlinked businesses until they become unprofitable is a recipe for financial and economic disaster across the state, yet the government does not appear to understand this.

An editorial in the *Stock Journal* stated that if federal, state and territory governments accepted the National Transport Commission's recommendations 'they will be rolling back the road transport achievements and putting in jeopardy the economic viability of regional towns'.

The Hon. P.F. Conlon interjecting:

Mrs PENFOLD: You should stop bullying people all the time and harassing them.

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order!

Mrs PENFOLD: It is perhaps no accident that Queensland is the fastest-growing state in Australia, because Queensland looks at the national transport proposals to question how they will affect their own businesses, including producers. Therefore, that state is introducing a tolerance for overloading in certain instances. In a letter dated 3 March 2006 to the state Minister for Transport on this issue, I wrote in support of Mr Jon Fromm's concerns:

The carting of grain involves many variables which can affect the bulk density and grain weight i.e. moisture content, quality of the grain and type of grain. Generally farmers do not cart on a regular basis, only during harvest. I understand some trucks are fitted with gauges, however they only give an indication of the load weight rather than an absolute reading.

Mr Fromm like many other farmers does his own carting during harvest and is very concerned about his liability under the proposed legislation if he should accidentally overload his truck. Jon is suggesting that farmers should be given a tolerance of eight to 10 per cent of load weights. He also suggests that the tolerance rate be on a sliding scale depending on the truck size and combination.

I am very aware of and support local councils' concern regarding damage to local unsealed roads during the harvest season by overloading grain trucks.

Due to the unpredictable nature of grain some consideration should be given to farmers under the proposed Chain of Responsibility legislation. I ask that up to an eight to 10 per cent tolerance be allowed for grain truck load weights.

The minister's reply, received on 17 May 2006, was negative in every respect. The minister stated:

The new legislation does propose that drivers and operators will have access to a defence if they have taken all reasonable steps to prevent the breach and the breach is only a minor risk breach.

However, I can find nothing that explains what a 'minor risk breach' is or what constitutes 'reasonable steps'. Leaving such decisions to the whim of individuals does not augur well for the consistent application for any of the proposed national road rules.

Another aspect that has not been mentioned is the issue of greenhouse gases and climate change. The suggestion that trucks only run at half capacity to avoid breaching the loading weights is ludicrous. It would mean double the trips on unsealed roads with consequent damage caused by road usage and a huge increase in damage to the environment as well as the damage to other road users.

During Labor's term in state government, I have noted the deterioration in regional development and the gradual withdrawal of funding and services from regional South Australia. Nowhere is this more in evidence than in the state's rejection of its responsibility for road maintenance. I could also add rail to that. I urge members to take a commonsense view of the practical application of this legislation and agree to the minor amendments proposed by my colleagues, particularly the member for Stuart.

The Hon. G.M. GUNN (Stuart): Mr Speaker, I am pleased to participate in this debate. I do not share the enthusiasm of some other members. It is a subject which I have some knowledge of. I actually started carting wheat to Poochera when I was 16 years old. We used to lump the bags of barley—

The Hon. P.F. Conlon: You would never have broken a rule, not you, Gunny!

The Hon. G.M. GUNN: Not me, Mr Speaker, and I have had some experience in loading trucks in and out of paddocks and I have seen a gradual progression—

The Hon. P.F. Conlon: When you were 16 it would have been a horse and cart, wouldn't it?

The Hon. G.M. GUNN: That's only if you're like the minister—he must be getting Alzheimer's; he must have had a lapse of memory. Mr Speaker, we have seen a gradual progression from petrol trucks, single axle, to B-doubles, road trains, semitrailers and combinations of vehicles because there was a need to improve efficiency, particularly in the field of agriculture. Let me say at the outset, this country would stop without the road transport industry. We are absolutely dependent across this nation. We have large companies, we have small operators and we have owner/drivers. If ever there was a group of people who were victims, in certain cases, of excessive and unnecessary bureaucracy and of over-vigilant inspectors, it is people driving trucks. I will give you some examples. I know that the minister is thrilled with the administration of his department—that is why he promoted the previous director-general and got a new one.

I had a telephone call from my assistant in Port Augusta who said that one of my carriers at Jamestown would like a word with me as he was having a slight problem. I said, 'Who is it?' It was the Department of Transport. The story was pretty simple. There is a drought in New South Wales, and he had been contracted to cart bales of hay on a low loader type of vehicle. He got onto the department, which said, 'Can you prove that there is a drought in New South Wales?' My blood pressure went up one or two points, and I said, 'Who is the character in the department?' I made a telephone call to this gentleman and asked, 'Are you either deaf or don't you have a radio?' There was dead silence at the end of the phone, and I said, 'If you don't know there's a drought in New South Wales, you're the only one in South Australia who doesn't.' No wonder my constituent was frustrated. At this stage, I was getting a bit shorter on the telephone.

This example demonstrates just how unique bureaucracy is and what it can do to someone trying to make a living and help the people of New South Wales at the request of the New South Wales government. I pointed out to this gentleman that, on a previous occasion when they were carting hay to New South Wales, their inspectors had hassled my constituents. When I took the matter up here, the next thing was that the inspectors paid a visit to the carrier and wanted to know why they had gone to their member of parliament. He said, 'Well, you wouldn't be here to talk to me if I hadn't gone to my member of parliament.' This is just one example.

The bill has a wide range of draconian measures. I hope that the minister listens to this. The first thing I ask the minister is: will he table the guidelines that will be used as a part of the administration? I am told that the police and the departmental inspectors will be issued with these. We are entitled to know what they are, and they ought to be part of the schedule of the bill so that everyone knows. We have been asked to pass a piece of legislation that has 69 clauses. We are changing the whole concept, yet we are not sure what the guidelines will be. We are entitled to know because people will be affected. I do not know how many backbench members of the government have read the bill and understood its clauses. If they had, they would challenge the government because, if they are not very careful, there will be some excesses of government administration in this measure. Let

me take you through it and look at some of the rather unique and interesting provisions.

Some of these characters have a 'little man' syndrome and want to feel important. I think it is fair to say that some of these inspectors are not particularly keen on me. I do not know why. Clause 9 provides:

(1) For the purpose of this act a person is an associate of another if—

- (a) one is a spouse, parent, brother, sister or child of the other;
- (b) they are members of the same household. . .

That is all-encompassing, and I will give you an example of how these people misuse it. It is a disgraceful and unnecessary clause. I say to the Minister for the River Murray: wait until her little fruit growers get this heaved at them (and we already know how the industrial inspectors got on up there). As a National Party member, does she think this helps rural South Australia? This is a disgraceful clause.

I will tell you what these people do. Listen to what these people are like (they are really struck on me) and what happens. At the time of the Olsen government, a constituent of mine at Melrose was harvesting. A fire started in another part of the district. The lad who normally drove the header went to help contain the fire. His father got in the header, filled up the truck and, on his way to the silo, he was pulled over by these inspectors, who gave him a pretty hard time. He was very annoyed because they should all have been at the fire. They made a serious number of mistakes and assertions. Eventually, one afternoon two of these characters turned up at the house of the daughter-in-law and served a summons on her, insisting that she appear in court. She did not have a licence to drive trucks and had never driven a truck in her life. She did not even have her name on the registration. She was on call as one of the special nursing sisters at the Port Augusta hospital and, when she explained that, they said that they were not interested and that she had to appear in court.

So, the father-in-law telephoned me. I said, 'If they force her to go to court, we'll get the television cameras and we'll all be there. Leave it to me for a few minutes.' So, I rang the minister and gave her a short counselling session about what would happen to her behind closed doors and that she would not be the minister much longer because I would not vote for any more of the government legislation unless something happened. It was a public disgrace. By putting in this provision, they now have the right to involve children. It is an absolute disgrace, and we will spend many hours here tonight on these matters because there is no way that, as a rural member of parliament, I will stand by and see this parliament pass unnecessary provisions.

It is not the role of this parliament to make life as difficult as it can for people. That is what they are doing. It is the role of this parliament to ensure that laws are fair and reasonable and we are not continuing down the path of taking away people's fundamental rights. I, and others, have spent a fair bit of time going through this draconian measure, and I suggest that the minister and members look at clause 36, because that is another good one. And there are others.

The Hon. P.F. Conlon: I will always take your advice, Graham. I am serious. We will have a look at them.

The Hon. G.M. GUNN: Well, you need to. The other classic one is the demand that people should carry a driver's licence while operating within 100 kilometres of their base. That is absolutely over the top. Whoever dreamt up that provision, or was responsible for it, has no practical understanding of small operators who travel short distances with

multiple vehicles. It is a nonsense. When this was put up to parliament on the previous occasion, thanks to the good commonsense of Norm Peterson, it was taken out. I will tell you a little story, Mr Speaker. We moved these amendments, and the Sir Humphreys advising the then minister said, 'You cannot have that,' and Norm Peterson called up the minister and said, 'If you force this provision, you will not win because this is nonsense.' And it is nonsense again.

The Hon. P.F. Conlon: Am I right on a division, Jack?

The Hon. G.M. GUNN: Well, there will be divisions on it. There will be more than one on every one of them, because, as the Minister for the River Murray—

The Hon. P.F. Conlon: I might agree with you.

The Hon. G.M. GUNN: I hope you do, because we will go home a lot earlier. It is the responsibility of some of us who have been in this place and seen it at first hand. There have only been two or three of us who have had heavy vehicle licences. I think the member for Schubert has one, and I do not know who else.

Mr Griffiths interjecting:

The Hon. G.M. GUNN: No, I do not know whether Mitch has. I have carted a lot of grain. There is only one year since I have been in this parliament that I have not carted a few loads of grain to the silo, because I like to keep my eye in. I must admit, I do not think I would go too well if I had to go back to lumping again. I take particular note of how these matters are being administered, and I go along to silos and walk along the rail trucks and talk to people. It is interesting when I go there to see the inspectors come in. They are really pleased to see me because they know I have a notebook in my pocket and I take the numbers of the cars and find out what they are up to. They normally leave when I arrive. Because I am a very humble fellow and I have to really work myself up even to talk to these people.

Mrs Geraghty: Now, now!

The Hon. G.M. GUNN: I am shy, the member knows that. But I believe I am practical, and I understand the realities. The difficulty is that when this legislation leaves this parliament we will not have any control over it. It will go to the minister's friends, the police and the Sir Humphreys out there who have their own little agendas. I have had lengthy discussions, and it was put to me today that where you have a community police station where the figures are down they have a blitz on the truckies, and they write out a heap of tickets on minor things. Every time I ask the question whether they are set targets and encouraged, you get a Sir Humphrey answer. We all know that.

The Hon. P.F. Conlon: Not by us, they are not.

The Hon. G.M. GUNN: Well, maybe by the administration.

The Hon. P.F. Conlon: You go and try to tell the Police Commissioner anything. You go right ahead. He runs his own show.

The Hon. G.M. GUNN: I have had a few interesting debates with a previous police commissioner during budget estimates, and the minister now mentions an interesting point and this is the opportune time to say it. Let me say this: I intend to take the closest interest in how this is administered and, if my constituents and others come to me and believe they have been unfairly and unreasonably targeted, the people responsible will be named here, and I make no apology for that. We will have some fun questioning the Minister for Police and the commissioner during budget estimates. A previous Police Commissioner got very cross with me, and that was his right. One of the things he clearly had to

understand was that we live in a democracy, they are appointed and we are elected. Some of them do not like it, but they can lump it, and the more obstructive they become, the more determined some of us become. I will not sit idly by and see that sort of stupidity take place and unnecessary activity to interfere with the proper activities of people involved in trade and commerce. In his second reading speech the minister said:

For example, manufacturers, primary producers, shipping agents or importers who consign and receive goods by road transport could be jointly liable with the heavy vehicle operator or driver if they know the heavy vehicle is overloaded.

I put this point. I do not know how many of these particular individuals have loaded a vehicle in a paddock on the side of a hill and whether they can estimate reasonably the weight of that vehicle. You might get it right on the drive but you underestimate on the bogie, on the tray axle. So, at the end of the day, what will the tolerances be? Will they be fair and reasonable? It is terribly important. The minister went on to say:

Industry codes of practice.

... The government's view is that the legislative obligations on all parties in the chain of responsibility should not be overly onerous.

It is all very well to say that, but the bill does not say it. The provisions in the bill are overly onerous, and they are far-reaching, because the ability to go into people's homes is outrageous, improper and immoral, and should not be there in a democracy.

Let me say, Mr Speaker, that if anyone I know has one of these characters going into their homes and demanding to look at things, there will be a censure motion in this parliament of whomever is in charge of those officers. I do not care who they are, because people's homes should not be subjected to this. One character in the Department of Transport has been responsible for a number of his associates leaving under stress. That is how unreasonable he is; they did not want to be associated with him. This is the same character who interfered with the transport of grain from Pintumba, west of Nundroo. He said that they did not have a road train permit. This character drove past the operator's depot day after day and, if he had an ounce of commonsense or if he were a reasonable person, he would have called and said, 'There is a bit of a problem. We are not going to stop the export of grain. The ships will be loaded. As soon as you get it, fill out the necessary paperwork.' The bureaucracy is insensitive and impractical. I was asked how many of the minister's advisers and those associated with this legislation actually have a heavy vehicle driver's licence. How many of them have actually driven a truck? How many of them have tried to load a truck?

I give another example. They say in this legislation that they can make a person turn around and go about 30 kilometres. Could the minister tell me how you can turn around a road train, semitrailer or B-double on any sections of the Eyre Highway? How can you turn around? I want to know from Sir Humphrey how you do it. If they give an instruction the driver might say, 'If I pull off the road, I am going to get bogged', like the driver in the western suburbs who was told by a police officer to pull his B-double off the road and unhook it. He said that if you do it, it will cause trouble. He eventually carried out the instruction and the little jockey wheel holding up the trailer sank into the bitumen; that is how stupid this is to give untrained people this power. One of the leading carriers on Eyre Peninsula said to me on Saturday morning that this will cause them tremendous

problems, because certain over-zealous police officers will cause hell. A carrier up at Burra was pulled over in Adelaide to be told that his vehicle was unroadworthy, even though at Regency Park an inspector had said there was nothing wrong with it. Why should that police officer be permitted to further issue those tickets? He has not the wit nor the wisdom nor the commonsense to let them go.

Of course, we will further debate this in committee. We have a number of amendments, many of which are based on my personal experience of the sort of difficulties I have witnessed over the years. I want to see South Australia go forward and I want to see people getting on with their business unhindered. If you are confronted by the government or an agency, you are at a tremendous disadvantage. These inspectors have very little commonsense, and some of them have an ability to read a bit of paper, but none of them can interpret it with commonsense. I look forward to the ongoing debate on this matter, because the transport industry in this state relies on it, particularly in the isolated regions.

Mr VENNING (Schubert): I, too, take more than a casual interest in bills such as this. The road transport industry is critical to our state and, as a country member, I am very much aware that all our regional communities rely on road transport to be supplied with everything they do. The truckie and the trucking industry, and the roads they drive on, are important to us all, and this bill will certainly affect them. As a primary producer, in a primary producing state, most of our products—our grains, wine, livestock and all our produce—go off to market, usually in a truck. In the old days our products were transported by train, and it still is to some extent, but now almost all of it in some way or other will be transported in a truck, at least from the paddock to the siding. Trucks affect everything we do. All our farm inputs come onto the farm—our fuel, fertilisers, grains—on a truck, using our roads. So, I have more than a casual interest in this, although I hope it is not a conflict.

I own several trucks, including two heavy duty prime movers, one of which is new and which I drove for the first time a few weeks ago. Yes, I have a heavy articulated vehicle driver's licence, as the member for Stuart just mentioned. Nothing gives me more joy than to get behind the wheel of a big, powerful prime mover, as did former minister the Hon. Diana Laidlaw and, if she could do it, I think that the Hon. Patrick Conlon should be able to do it as well. As the member for Stuart will tell you, there is nothing more pleasant than being behind a 450 horsepower diesel, pulling down the road. The new one that I bought the other day has an electric pre-selecting gearbox, so that adds even more joy, because I have always had difficulty in finding the gears. Particularly when you are not on the farm all the time, you lose that maxserve in fuller gearboxes where you have to double de-clutch on every gear up and down. When you are in this place, you lose track of that after a while. I am glad to go home and sit in the truck, just put it into drive and away it goes. It is a real buzz and I enjoy it.

I took a drive the other day to Wallaroo; in fact, I took four loads to Wallaroo on the roads in the member for Goyder's electorate. I was very disappointed that a beautiful truck with beautiful airbag suspension had to drive on those roads. I used to cart super on these roads in the 1960s in a 1956 Chev truck, and I was carting five tonnes and I thought I was in the big time. The roads were pretty good and quite tolerable. I was driving down the same road the other day and I could not believe that it was the same road. No work has

been done on those roads since I drove on them all those years ago. Were they rough! You need airbag suspension and you just about get thrown out of the cabin, it is so rough. It is a real worry that the roads are very narrow. It is frightening to be in a prime mover with 25 tonnes of fertiliser behind you at 97 to 100 km/h, and you think, 'Gosh; there's not much road for anybody else, is there?'

You look down at the mirrors and you can see two or three inches of white line each side of your tyres, and the shoulders are over the edge. This is highly dangerous, particularly from Port Broughton down through Alford, and it is not on. We have not kept up; it is like doing it again after all these years. I thought it was great, but I was rather horrified to think that that is what happens. I did enjoy it and it all came flooding back but, as the member for Stuart said, you do not handle the bags. However, the responsibility is even greater because when you are driving a truck like that your responsibility to be competent, sober and conscious of other road users is very important.

I am still a farmer and, as the member for Stuart also said, I like to keep my hand in on all things to do with the farm. Even though it is only a matter of a total of about one week a year I still like to do one or two days on the harvester and one or two days on the seeding. Technology is moving so quickly, and when I retire from this place I do not want to be totally irrelevant. I like to keep my skills up, so I do drive a harvester, as I did during the last harvest, and I know what it is like to load a truck with grain over the side. Nowadays some of this is actually done on the move; we do not actually stop. The truck pulls alongside under the harvester and you tip it in, so it is very difficult to gauge how much weight is in that truck when it is coming straight out of the harvester like that; it is hard enough even from a stationery filled bin. Judging weight can be very difficult, particularly with the huge variation in volumetric weight.

As the member for Hammond said a while ago (and I commend him on his knowledge)—

Mr Goldsworthy interjecting:

Mr VENNING: We do have very high yielding crops, as the member for Kavel reminds me. My son is doing a particularly good job. Sir, I know approximately how full a truck bin should be, as we all do. You have a visual line, like the water line, on a bin and that should be about a legal load—or less; you always cut back, and you do not go over the top—but you can get it very wrong. You look at the harvester and you look at the bin, and the grain looks about normal, so you tip it into the truck and start filling it up. Suddenly you realise that the tyres of the truck are starting to squelch and you wonder who forgot to blow them up. You are about to get cross with the farm workers who were supposed to check the tyres when you realise you had better check the grain. You crawl into the bin of the truck, you get the grain in your hands and you think, 'Hell, that is heavy.' You cannot tell by looking at it. It can vary so much for many reasons: climate conditions during the growing period of the grain, the fertility of your soils, the grain variety, grain moisture (because moisture weighs), or a combination of those things. So, you cannot estimate the weight of the grain until you are actually there and are actually reefing it.

I am aware that some trucks do go off to the market or the silo overweight. I believe that if a person is taking in a load and is apprehended for being overweight (say, a half to a tonne and a half), there ought to be a debate at least, saying, 'This is the first load and I did not realise that.' If it is the first load (not the 21st load), they should say—

The Hon. P.F. Conlon: How do you prove that?

Mr VENNING: This used to be the rule. When you were gauging the weight, especially of the first load of the season, you were allowed the benefit of the doubt. If you did it again you got the book, because there are people (and the member for Stuart would agree) who do abuse it. You see some of these old trucks limping down the road and you know that they are five-tonne trucks and that they have eight tonnes of grain in them. The thing is lurching and swaying, the bin is nearly falling off the truck, and you think, 'This is not on; this is not safe.' However, I have to say that that does not happen very often at all any more. You do still see a few of those lovely old trucks in the Barossa carting grapes, doing the vintage, but they do not carry those sorts of loads. These people get through year after year, the trucks do about 2 000 kilometres a year in total, and the incidence of accidents is very low.

So I wonder why we want to come in with such a draconian bill as this. I am very aware of what can happen and how the header driver can be fined for overloading the truck. I never thought that could happen, because I believe that the truck driver, who is often the employee of the farmer anyway, has that responsibility in the end. He or she is driving it to the silo and they should look over the side, because they have to climb up there and tarp the thing. When they tarp it they should look in there and think, 'This is a bit heavy.' They can check it if they have access to a weighbridge (usually they do not) or, if in doubt, they can go past the shed at home, open the tailboard and let half a tonne out on the ground. That will make sure that they are not overweight—but you have to be going past home to do that.

What often happens is that it is the last load of the day, there are 10 bags still in the box, so they stick it on. That is no defence. We see so many carriers, who are paid by the tonne and who take grain from the paddock by the tonne, putting it in at the silo and they think, 'There's only 25 bags left in there; there's another couple of dollars, good beer money; put it on.' They squeeze it on, put the tarp over and no-one is the wiser. Well, you know when it goes out the paddock, you see by looking at the tyres, and sure as eggs they are pinged 2 or 2½ tonnes over. That is not defensible and should not be done. It is being greedy. It is all about protecting our roads.

I am very concerned about some parts of this bill. It was highlighted to me by the member for Stuart and others, and I was particularly incensed to read about these incremental guidelines. I ask the minister what they are, and why they cannot be part of the bill. They are the teeth of the bill and will affect many members of the community. These things, like the regulations, can affect everything. I believe that should be in the bill so that we can debate that, too.

On page 20 of the bill, I was absolutely amazed and could not believe that section 9—Associates (and the member for Stuart also picked this up) talks about who is responsible. It is an all encompassing and disgraceful section, because they will all be accomplices under this section. Does this give the authorities the right to involve children? Looking at section 9(1)(h) of clause 9, I just cannot believe it. How far can a law go? You would think that we had a serious problem here. Section 9(1) talks about all the relationships and the partners, and it then provides, under paragraph (h):

A chain of relationships that can be traced between them under one or more of the above paragraphs.

Why not use DNA and be done with it? I cannot believe the lengths to which the government will go to rope in everyone else. As the member for Stuart has said, why would they rope in innocent people—people who often do not have a licence to drive a truck—and how can they then involve them in things like this, particularly when they are underage, when it involves children. This is way over the top. These people are not habitual criminals.

Also, I raise my favourite old subject, that is, the right to carry a driver's licence. I recall, back when Ms Laidlaw was the minister, that we raised this matter in the house and several of us made a strong stand. When working around the farm, I object to having to carrying a driver's licence. You do not want to have things in your pocket that are not needed. When I am around the farm, I do not carry a wallet or anything, and I do not want to carry a driver's licence. As my wife tells me, I am a very filthy farmer. I get covered in grease, dirt and sand—if it's around, I'm covered in it—and, after a while, your licence would reflect that, too. If you are within 100 kilometres of your home base (that is, if you are around your property), you should not have to carry a licence or a log book.

So, why then are we revisiting this now? If you are only 100 kilometres away, you should not have to carry your driver's licence. We fought this before and won, and I hope we can win again. I hope the minister will understand that farmers do not want to have to carry a driver's licence when working around the farm. I wonder whether the Labor Party has discussed this with its backbench and whether anyone in the Labor Party understands about such matters. Some very good farmers vote Labor, and I can think of three I know. There is one fellow at Spalding, who I think is well known to many members of this house, who I am sure would be horrified to think that the Labor Party is going to make him carry his driver's licence around his property.

I cannot understand why the government would want to give inspectors the ability to enter people's homes. I think that is preposterous. Surely, a person's home is sacrosanct. I have been here now for 16 years, and I often wonder about some of the things we do in this place. Why are we introducing this legislation? Why are we sitting here tonight discussing this bill? Is there a serious problem out there? Yes, we are told this is all about the national standard road strategy in relation to legislation. I think South Australia should have its own laws, as we have always done. It is plain that some of the national standards are absolutely ridiculous, because all situations are not the same. I always say, 'If it's not broken, don't fix it.' Why implement a huge amount of bureaucracy?

You wonder why people get frustrated. A lot of people out there live a very basic life, and I have to say that I represent some of these people in the Barossa Valley. These people work hard. They have excellent family and Christian ethics, and they ask very little of society and the government. All they ask is to be given a fair go. They do not like people coming around throwing rule books at them and making them fill out reams of paper. Almost all these people are totally law abiding, and they would never at any time intend or want to break the law. I think that to have these sorts of things thrust upon them is an encumbrance on them and everyone else.

Parts of this bill are worth supporting. We want to pick up the golliwogs out there who do the wrong thing, and we have to give our inspectors the power to say, 'Look, if you do the wrong thing, particularly if you are an habitual offender, bang. You do a lot of damage to our roads and you can cause a lot of heartache to people when you have an accident.' I am

very happy to see the law upheld in respect of loaded trucks, particularly those that are not roadworthy.

I pay great credit to the department over the years. The department has its truck inspectors, and they have been out to our property several times, at our invitation, particularly when we had the older trucks, not so much the newer ones. To test the suspension, they put the older trucks on what they call a shaker, which shook the thing to bits. The wheels sort of flop. Everything flops and hangs out and, if it is broken, it will fall off. Often, we have had to replace king pins on the trucks, because the shaking had shown that they were worn. That's good; I have no problem with that. That's the sort of cooperation I like: being invited by the farmers to come out and check their trucks. However, it is the confrontation that I do not like, particularly when you see the inspectors going along the silo queues when farmers are busy and tired. What really gets up my nose is when they look under the trucks to see all the leaks and things and carry on about oil leaks. They also look to see whether names on trucks are clear enough, as well as dirty windows and cracked mirrors. It goes on and on. That does not worry me. As long as the trucks are safe; as long as the lights work and, most importantly, as long as the brakes work.

I will watch this bill with interest. I commend the member for Stuart and also the minister for listening to us. I hope that we get something out of this bill to make it sensible. I believe we have gone over the top, and I am amazed that some members of the Labor Party have not said, 'Hang on, this has gone too far.' We have not heard a single word from the government, apart from the minister's second reading explanation, which is prepared by his officers. I thought that at least John Rau, the member for Enfield, would have had something to say, or even the erstwhile member for West Torrens; I know that he has a few truck mates out there. I am sure that Ben Brown in Spalding would like to hear the outcome of all this. I await this bill with a great deal of interest. I support the bill and, hopefully, some of our amendments will be successful.

Ms CHAPMAN (Deputy Leader of the Opposition): I will be the last speaker for the opposition making a second reading contribution in relation to this bill. I indicate that for the benefit of other members who might be present. The member for Waite and other members of parliament have made significant contributions about the purpose of this bill. The member for Waite and others have highlighted some of the inadequacies in relation to the machinery provisions proposed to be implemented as a result of this legislation. I do not wish to traverse those provisions to any significant degree, but I do note the purpose of this whole exercise is designed to try to increase and improve the level of safety in the heavy vehicle industry. That is an admirable objective, which I hope is achieved.

This bill has over 100 pages of amendments to provisions in relation to the imposition of what seems to be a very detailed level of obligation in relation to all conduct by anyone who could possibly peripherally be involved with any vehicle that could be carrying anything to which it may apply. For example, on page 27 of the bill we have almost half a page of description of a vehicle that is broken down. The level of detail, which will apply ultimately if this bill is passed, is quite extensive. I mention that because, recently, we heard about problems the South Australian police force is having in being able to manage detailed legislation in relation to the collection and disposal of DNA material

arising out of criminal investigative procedures when an accused person is found not guilty or the charge is withdrawn. We know in a contemporary example that, when we produce legislation that is complicated and detailed, ultimately it produces a web of operation which can sometimes render the ultimate objective of the legislation nugatory. I tread with some caution in relation to the extent of its application and the level of liability it will impose in relation to a broader group.

All those matters will be detailed by the member for Waite when moving amendments, which he has foreshadowed; and a number of other amendments which the member for Stuart has foreshadowed. I add my note of caution to say that imposing extremely heavy enforcement penalties in relation to some of this conduct ultimately may be shortsighted in its application. The other thing is that sometimes, when we significantly increase penalties, there is less desire to enforce the law in the first instance. We do need to be aware of that.

I would like to comment on its application in the urban environment. Many speakers deal with aspects of people living in rural communities—and they are valid. As the owner of a 30 year old truck, I have to be careful to ensure that in a rural setting I, too, comply with all the new obligations that are likely to be imposed by this legislation. I want to explain to the house that we have a very extensive network of freight transport travelling through the metropolitan area of Adelaide. Portrush Road is no exception. Portrush Road, which is a No. 1 national road, is defined in general terms as being a federal road. It is one for which the South Australian government has some responsibility and, at a much different level, local government has to deal with its footpaths.

Some 2 000 heavy vehicles, most of which are carrying freight, travel along that road every day. There are semitrailers, vans and trucks, many of which are in the heavy vehicle category as defined in this proposed legislation. Some 2 000 of them a day roar through the suburbs of Tasmore, Linden Park, Toorak Gardens and Norwood. At a regular rate they rip past five private and public schools and colleges, and special schools. Those 2 000 vehicles a day go past areas where people are residing and shopping. Little old ladies are walking across the road. They can be a danger, not just if they are speeding but also if their freight is not properly loaded or they are overweight. We all know the outcomes as a result of that.

This is very much an urban problem. In relation to the number of heavy vehicles that travel through metropolitan Adelaide, one of the reasons we continue to have the high level of heavy vehicles travelling through residential suburbs is because this government continues to refuse to upgrade and re-engineer the Britannia roundabout. I am very pleased the Minister for Transport is hear to listen to this, because I want him to understand that, when the upgrade of Portrush Road was undertaken, it was very important in its considerations. When Portrush Road, which has this huge amount of transport, was upgraded there was the promise always that the Britannia roundabout would be fixed up; so that at least a number of those transports would be able to go around the Britannia roundabout, through a commercial area along Glen Osmond Road and out of the city.

We have an enormous amount of freight coming through my electorate and along Portrush Road. A massive number of vehicles needs to travel along Grand Junction Road and back through the city to the freeway. We are stuck with this until we have some relief, and the only relief on the horizon—which may need to come at another time from another

government, because we have got absolutely zero so far out of this government—is that it picks up the Britannia roundabout. The reason for the importance of the Britannia roundabout upgrade, which has been sought for so long and which was promised by this government—which then pulled out and then thought that it would have another look at it, and so forth—is that drivers cannot get their trucks round the Britannia roundabout. I actually experienced this directly, not long after I became the local member.

I was invited to meet with transport drivers at Regency Park on a very important information day, to gain some understanding of the heavy vehicle industry, so I got them to put me in one of these semitrailers, drive down to the Britannia roundabout and attempt to drive around it without breaking the law. I will not name the driver, but I am here to say that he could not drive round the Britannia roundabout in a semitrailer without straddling the lanes. He had to move into two lanes to be able to manoeuvre this vehicle around the roundabout. Of course, they cannot do it, so they keep ripping through Portrush Road, and to enable that situation to be remedied we must have some relief.

We must have the Britannia roundabout re-engineered and this issue resolved so that we can ensure all the safety elements, as well as other issues that I do not need to traverse today as I have given other contributions on them. It is also important that we deal with this issue of vehicle safety. With those words, I indicate that the opposition is supporting the thrust of the bill. A significant number of amendments will be put, and I hope that the Minister for Transport will go away and consider my contribution as a weighty contribution that will inspire him to ring the Department of Transport to get on with those proposals that have been under consideration for five years, and make sure that we have the Britannia roundabout fixed up with the passage of this bill.

The Hon. P.F. CONLON (Minister for Transport): I thank members of the opposition for their contributions, and particularly the gymnastic effort of the last speaker to bring the Britannia roundabout into the compliance and enforcement debate. If we had been in a court of law, I think that an objection on relevance might have been taken a little earlier, although I understand the honourable member's passion for the subject. This is, of course, the result of a national agreement, a national approach. I would also put on record that I recognise that there are particular experiences among members on the other side, particularly rural members, in regard to the carting of materials in heavy trucks, and I recognise that we and the department are a long way from being the possessors of all wisdom on this matter.

I would indicate just a couple of things. I point out that the most strident supporters of this bill have been the South Australian Road Transport Association, which has been urging us before and since the election to proceed with it. It is not, of course, the voice of all the trucking industry but it is a very substantial representative body. Having said that, I recognise the concerns of many of those opposite. I will be taking away both the amendments and the comments and asking our officers to tell us whether they fit, first, with our obligations as a government under the national agreement and, secondly, whether they have merit in some other way.

I do have some sympathy for the propositions put forward by the member for Stuart and the member for Schubert, in that all laws should be applied sensibly. One of the things members will be pleased to know I have done since becoming Minister for Transport is ask the previous and current chief

executive to find ways of making our regulatory branch more facilitative of business.

Mr Pengilly: Good luck!

The Hon. P.F. CONLON: The honourable member says 'Good luck', but I can tell him that I am committed to that and want it to occur, and we actually have some record already in that regard. I was very disappointed in the contribution of the member for Flinders, particularly in reference to the National Transport Council's recommendation on registration, because even a short inquiry would have led her to find a number of things. First, I actually sat in the Regional Development Board's office, I think it was, in Port Lincoln in her electorate and met, at their request, with two representatives of the trucking industry (grain carters, from memory) who put to me their serious concerns with the proposals of the NTC.

As a result of that discussion, for the first time I had the Department of Transport meet with the industry and invite representatives of the trucking industry in general to come and give us their views on matters coming up with the National Transport Council. In fact, it was from that that we have now commenced regular meetings with the industry to discuss their views on transport and to learn from them. We have to acknowledge that we can learn from the industry and even sometimes from Liberal members of the opposition. As a consequence of that, it was South Australia that urged the other states to reject the commonwealth's proposed fuel excise increase and South Australia that first announced to the other states our decision to vote against the registration charges and fuel excise.

We did that as a result of talking to the industry, and the contribution of the member for Flinders simply flies in the face of history and fact and is particularly churlish. My own attitude to it is that we must have strong laws requiring safety on heavy vehicles and those laws must be applied sensibly, but one of the things which I have said to the industry and which I put on the record here again is that not only is road transport essential to what we do as a state—essential to our role as an exporter, why so many of our infrastructure projects already delivered and to be delivered are about assisting the freight industry—but the savings that freight makes are passed on to customers.

The track record for road transport is that efficiencies that have been made—and some of those changes have been described—are passed on to end users. That is a very good thing and that is the reason why we should always be careful about making sure that we do not make laws that adversely affect road transport any more than is strictly necessary. Having said that, this is a national agreement. It has been a long time in the making. I am happy to have some consideration of the amendments, but I would indicate that it is not open to the government to accept amendments that run contrary to the principles of the national approach. However, I will look at that.

Given the member for Stuart's enormous and incredibly long history in this place, in the industry and in life in general, it might also be worthwhile for me to invite the chief executive of the Department of Transport to talk to him about some of the history and his views on enforcement. What I would say to the member for Stuart is that there is no way I can adopt his overall approach, which is that everyone should leave them alone and have no regulation at all, but I think he makes some good points about how sensibly you should apply laws, and it would be worthwhile for our people to learn a little bit from the member for Stuart. I am happy to do

that. I thank the opposition for indicating that they may support some part of the bill and I will leave my remarks at that.

Bill read a second time.

In committee.

Clause 1 passed.

Progress reported; committee to sit again.

ADJOURNMENT

At 5.56 p.m. the house adjourned until Wednesday 31 May at 2 p.m.