

LEGISLATIVE COUNCIL

Tuesday 26 October 1999

The **PRESIDENT (Hon. J.C. Irwin)** took the chair at 2.15 p.m. and read prayers.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Reports, 1998-99
Disciplinary Appeals Tribunal
National Wine Centre
Promotion and Grievance Appeals Tribunal

By the Attorney-General (Hon. K.T. Griffin)—

Reports, 1998-99
Department for Administrative and Information Services
The Industry and Commercial Premises Corporation
Playford Centre

By the Minister for Justice (Hon. K.T. Griffin)—

Regulations under the following Act
Police Act 1998—Variation

By the Minister for Transport and Urban Planning (Hon. Diana Laidlaw)—

National Road Transport Commission—Report, 1998-99
Carrick Hill Trust—Crown Development Report—
Application for the Erection of Temporary Marquee
The Planning Strategy for South Australia—Report to
Parliament, 1998-99.

BELAIR NATIONAL PARK

The **Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning)**: I seek leave to table a ministerial statement given today by the Hon. Dorothy Kotz, Minister for Environment and Heritage, on Belair National Park.

Leave granted.

QUESTION TIME

EMERGENCY SERVICES LEVY

The **Hon. CAROLYN PICKLES (Leader of the Opposition)**: My question is directed to the Treasurer. Will the 12.8 per cent interest rate charged on late payment of the new emergency services tax be imposed at the full rate on the first day after the 28-day deadline or will that interest rate be incrementally charged over a 12-month period? How has the penalty been calculated?

The **Hon. R.I. LUCAS (Treasurer)**: I will take advice from the minister responsible and bring back a reply.

ELECTRICITY SUPPLY

The **Hon. P. HOLLOWAY**: I seek leave to make a brief explanation before asking the Treasurer a question about interest rates on ETSA bills.

Leave granted.

The **Hon. P. HOLLOWAY**: As the Leader of the Opposition just indicated—

Members interjecting:

The **PRESIDENT**: Order!

The **Hon. P. HOLLOWAY**: —the Minister for Emergency Services revealed today that the interest rate on the late

payment of the new emergency services tax would be 12.8 per cent. This is more than double the current government three to 10 year bond rate of 5.6 to 6.3 per cent. Given this, my questions are:

1. Will the Treasurer now reveal what interest rates will be charged on the late payment of ETSA Power bills which customers learnt would be imposed for the first time in the new ETSA customer sale contract, printed in the *Advertiser* on 11 October?

2. If the interest rate on these late payments is more than the government bond rate, can the Treasurer explain why?

3. Will the \$5 administration fee charged to those ETSA customers who fail to pay by the last day of their final notice continue to be imposed?

4. Will the interest rate be charged fully on the first day after the payment is late, or will the interest rate be charged incrementally over a 12 month period?

The **Hon. R.I. LUCAS (Treasurer)**: In relation to the capacity for ETSA Power to impose interest charges on late payments, I have been advised that there is no current practice of ETSA Power to charge interest payments on the late payment of electricity bills.

An honourable member interjecting:

The **Hon. R.I. LUCAS**: No, the new code says that it may. The power is provided. I saw a Channel 10 or Channel 2 news bulletin on the night that this matter was first raised outside Boral's headquarters indicating that it, too, had the capacity to charge interest rates on late payment.

The **Hon. L.H. Davis**: Do you remember who Boral was? That was the gas company that you sold off.

The **Hon. R.I. LUCAS**: My colleague the Hon. Mr Davis just reminded the Hon. Mr Holloway of the background of Boral. That television report indicated that Boral had the capacity to charge interest rates but chose not to do so. ETSA Power is in the same position. Under the new codes, it has the power to charge interest rates but has chosen not to do so. It has the capacity to do so at some stage in the future. If it does that at some stage in the future, its rate will not be regulated by a minister of the government or, indeed, by a parliament: it will be done by the independent regulator—the all powerful independent referee or umpire that the government has instituted to ensure fairness and equity in relation to these issues. The independent regulator will control the level of interest charges, should a retailer choose to utilise the power that is in the codes that govern late payment of electricity charges. So the honourable member's questions, therefore, as there is no current interest rate charge on ETSA power, account for not much at all.

POWER BLACKOUT

The **Hon. P. HOLLOWAY**: I seek leave to make a brief explanation before asking the Treasurer a question about the statewide blackout.

Leave granted.

The **Hon. P. HOLLOWAY**: Last Saturday, power supplies to as much as 20 per cent of Adelaide's homes were interrupted over a 90 minute period. Yesterday the *Advertiser* reported that ElectraNet contractors were carrying out routine tests of equipment when supply from Victoria was cut. Reports in today's *Advertiser* suggest that two official investigations have been launched into the cause of the outage—one by ElectraNet and the other by NEMMCO—and they suggest that instability caused by interstate power

disruptions may be a likely cause. My questions to the Treasurer are:

1. What was the cost to the state from lost production as a result of the outage?

2. How will liability for this outage be determined and, in particular, if it is found that the outage was caused by instability as a result of interstate power disruptions, will South Australian customers be entitled to claim against the interstate operator?

3. Is ElectraNet, or contractors carrying out work for ElectraNet, required to carry liability insurance for this type of situation?

4. Who were the contractors working on the Victorian interconnect at the time of this outage, and for how long has maintenance work been contracted out by ElectraNet?

The Hon. R.I. LUCAS (Treasurer): The first point to make is that in relation to Saturday's event the position that the South Australian government has adopted, contrary to that adopted by the Labor opposition and by the Hon. Mr Xenophon in relation to Pelican Point, demonstrates the need for the state of South Australia to ensure a reasonable balance in terms of own-state generation and not being too reliant on interstate connection and generation in states such as New South Wales and Victoria.

That is the position the South Australian government has been fighting for, a position that we have fought for with great opposition from the Hon. Mr Xenophon and the apologists for the New South Wales Labor government in relation to Pelican Point; a position we have fought for against the Labor opposition members in South Australia who have done all they could to try to undermine own-state generation in South Australia in relation to Pelican Point, with the shadow Treasurer leading the charge against our Pelican Point power station down in his own electorate.

The Hon. A.J. Redford: He's having trouble counting the numbers for leadership.

The Hon. R.I. LUCAS: I would hope that he had the interests of the state ahead of his personal ambition in relation to the electricity industry. It is a very important point, and one that we have been arguing for, that we need an appropriate balance. The government has been happy to support further interconnection with the Eastern States, but we believe that we need own-state generation to try to ensure a spread of capacity and risks so that, if the big powerlines in the Eastern States go down (for whatever reason), we in South Australia are protecting South Australia's interests, contrary to the position of the Labor opposition (through the shadow Treasurer) and the anti-South Australian position adopted by the Hon. Mr Xenophon in relation to Pelican Point and interstate generation.

If we have Pelican Point, we have a further generation option. In the circumstances of Saturday, when the big interconnector with the Eastern States goes down, for whatever reason, we will have alternative options in South Australia to pick up the slack in capacity and supply. That is one of the reasons why politicians must see beyond the end of their own nose in terms of the long-term future of South Australia.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: The Hon. Mr Ron Roberts ought to acknowledge that that is an important part of the answer to the question, in terms of the long-term security of the state. In relation to the honourable member's last question—

Members interjecting:

The Hon. R.I. LUCAS: And the Hon. Mr Roberts would probably enjoy it! In relation to the honourable member's last question, ElectraNet has used contractors—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: If the Hon. Mr Cameron does not understand it, I will explain it him in the privacy of the members bar afterwards, and he might explain it to the Hon. Ron Roberts. ElectraNet has used contractors for many years. I will check whether it was using contractors at the time of the Labor government some six years ago. I understand that the contractor that ElectraNet was using was actually ETSA Utilities, another government-owned business, so the implication of the honourable member's question that—shock, horror—private sector contractors are being used for maintenance and this must by inference be the reason for the problem—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: You asked the question as to how long it has been using contractors, and I said that it has been a very long time, but that I will check for the honourable member. I actually nominated the contractor, which I believe to be ETSA Utilities, which has a contract with ElectraNet to use its staff to do maintenance. I will double check that to see whether other contractors were involved at the time of the incident. In terms of issues of potential liability, until the inquiry can establish the cause of the failure, obviously no-one is in a position to consider any issues in relation to liability.

Those who believe they have a claim have been given a telephone number, which has been well advertised. People can telephone that number to lodge, at least, their expression of interest, if I can put it that way, in terms of a claim. No-one is admitting any liability at this stage, obviously, because there has been no result of any inquiry into this incident, whether it be by ElectraNet or by the national authority, NEMMCO.

HOME INVASION

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Attorney-General a question about home invasion.

Leave granted.

The Hon. L.H. DAVIS: In the current debate on home invasion offences the focus has been very much on penalties and sentencing practices. Some people have been advocating that there should be minimum penalties. That area of minimum penalties, as we all know, is particularly contentious. My question to the Attorney-General is: are minimum penalties being considered by the government, and are such penalties likely to deliver just outcomes?

The Hon. K.T. GRIFFIN (Attorney-General): Someone has suggested that minimum penalties really dispense with the need for courts—one might as well get a computer and do all of the sentencing in that fashion. That is, I suppose, a flippant response that is being given to the argument for minimum penalties. Certainly, there has been an emphasis on minimum penalties in some quarters and, certainly, at the rally last Wednesday several members of the public were calling for minimum penalties. I am not sure what the opposition's view is. At one stage I thought that the opposition was calling for minimum penalties but—

The Hon. M.J. Elliott interjecting:

The Hon. K.T. GRIFFIN: Whoever it is, I just have a recollection that they were talking about minimum non-parole

periods, which is the same thing as mandatory minimum penalties. If that is what is being argued by the Labor Party, I must say that I am quite surprised. The Labor Party has always held itself out as having some sense of justice in respect of the way in which it deals with offenders in our community; but, quite obviously, the Labor Party has become rather captive to the desire to both fuel and feed off the fear that is being created by much of the debate on this issue.

There are a number of arguments against mandatory minimum penalties. It is appropriate that I try to put some of them on the table for members of the public in particular to understand because, whilst it might be easy to call for minimum penalties, it is much more difficult to achieve a just outcome by applying an across the board minimum penalty to a wide range of differing circumstances. The first argument from the research that has taken place in England, Australia and the United States shows that mandatory minimum penalties are unjust. They are unjust because it is not possible for the parliament to think out in advance the large variety of circumstances in which offences are committed and the variations in just desert that apply to people who commit them.

The second conclusion from research is that they do not work in the way in which proponents argue they will. Increasing sentence severity will not in itself necessarily lead to fewer crimes because punishment is only one aspect of sentencing, let alone one aspect of the criminal justice system considered as a whole. A number of studies carried out across the western democracies show that there is no correlation between the rate of offending and the imposition of mandatory minimum sentences.

The third conclusion from the research is that mandatory minimum sentences build up various avoidance procedures or negative consequences—and I can give a couple of examples. Since there will be no place for a discount for a plea of guilty, or indeed no incentive to plead guilty, the number of trials and appeals will increase and therefore so too will legal costs, court backlogs, victim trauma—the further delays in trials will encourage that—and remand rates. Courts, especially juries, will be more reluctant to convict of mandatory minimum offences. Some studies in the United States show, in fact, a marked decrease in convictions. There was one study in the United States which showed that the introduction of minor mandatory imprisonment for domestic violence resulted in guilty plea rates going from 77.4 per cent to 25.4 per cent. Much depends on charging practices and plea bargains, and that involves the redistribution of power from our independent courts, where this is transparent, to prosecutors and defence counsel doing deals behind the scenes.

Mandatory minimum sentences also attack the constitutional structure of the criminal justice system. There is a significant interference in the traditional and well-settled principles of the separation of powers, and the constitutional structure of the criminal justice system that we now have and have had since the 1820s is based on respect for a system of checks and balances in the exercise of power. Parliament, the judiciary and the executive each have a role in the exercise of the power of the state over the individual. Mandatory minima involve an intrusion of the parliament into the role of the judiciary. Some might say that is a good thing, but one needs to look at it objectively, because experience in the United States also suggests a transfer of power from the judiciary to the executive.

As I have already indicated, these sorts of sentences may well increase disparity in sentencing rather than decreasing it. The effect of mandatory minima in serious cases is that power is transferred to the non-public processes of charging and plea negotiation. Hence, sentencing power is transferred from the publicly open courts to the closed doors of prosecution practices. It may also mean that some innocent people being pressured to plead guilty because of the mandatory sentence. It also appears that whether or not a mandatory minimum is applied is related to irrelevant factors, notably the race of the defendant, blacks being more likely than whites to receive the mandatory minimum.

Lastly, if applied as intended, mandatory minimum sentences increase the prison population substantially. That may be the intention, but that is not without its costs and there must be some consideration given to priorities—health, education, policing and so on—in this whole debate.

Members interjecting:

The Hon. K.T. GRIFFIN: I am sure the Hon. Terry Cameron understands it, and I am also sure he would have some sympathy with the sentiments that I am expressing.

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: I am not talking legal speak: there is no legal speak in that, but I come back to the raw politics of it. The raw politics of it are that, whilst it may be superficially attractive, ultimately I would hope that the parliament, particularly the opposition, which purports to be the alternative government, would not be seduced by this rather superficial and, ultimately, ineffective and unjust outcome.

TEACHERS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Treasurer, representing the Minister for Education, a question in relation to teacher numbers.

Leave granted.

The Hon. M.J. ELLIOTT: The Treasurer will recall that in about 1996 I asked a number of questions about teacher numbers. I have in front of me a document entitled 'Teachers' supply and demand to 2004'. I am told that the next edition is fairly imminent in terms of its release. The data it contains indicates that South Australia is expected to experience moderate shortfalls at the primary level, and that very severe extended shortfalls are expected at the secondary level. The secondary shortfall, in large part, is a combination of a recent sharp reduction in supply and relatively high separation in the period because of the relatively older age structure of the teaching work force.

The report projects that, for next year, there will be a 21 per cent shortfall in supply to demand in primary schools; and a 44 per cent shortfall of supply to demand in the secondary sector. It also goes on to say that, with the impact of the common youth allowance, the secondary schoolteacher shortfall of supply to demand could be as much as 54 per cent. Compounding with that is also the fact that there is a shortfall not only in every other state in Australia but, as I understand it, every English speaking country around the world, with the United States offering green cards for teachers, and international schools in Asia recruiting heavily and paying quite high packages.

On top of that, the other concern is that it is predicted that the shortfall will not fall evenly within South Australia. It is

suggested in particular that the shortfall will be most heavily felt in regional South Australia and perhaps in some of the more difficult to staff schools in the metropolitan area.

The Hon. A.J. Redford: Where did you get that from?

The Hon. M.J. ELLIOTT: This is from a Barbara Preston of the Australian Council of Deans of Education. Is that reasonable? I suppose that this is also contributing to a great deal of unease about implications associated with Partnerships 21, particularly in country areas where country schools and councils are being asked to take increased responsibility, and yet at the same time this will happen in the face of a significant shortfall of teachers. I expect that the staffing exercise is at least getting under way in South Australia. Therefore, I ask the Treasurer:

1. What is the predicted situation for South Australia next year in terms of the supply of teachers?

2. Does the minister agree with predictions from the Australian Council of Deans of Education that there will be a shortfall in primary and quite a severe shortfall in secondary areas?

3. Can the minister identify in what subject areas those shortfalls will occur, and in particular will he say how severe the shortfall will be in country areas?

4. Most importantly, can the minister indicate what the government is doing about it?

The Hon. R.I. LUCAS (Treasurer): The honourable member will recall discussions that we had back in 1995 and 1996 about this issue. The South Australian government at that time was leading the charge at ministerial council level to bring to the attention of federal and state ministers the prediction that early next decade there would be shortages. I am not sure whether Ms Preston was involved in this, but I think at the time a number of people from the institutions—it might have been Professor Adey and others—had differing opinions about whether we would have shortages in 1998 and 1999, and that is when the government said—

The Hon. M.J. Elliott: There have been some.

The Hon. R.I. LUCAS: Not to the extent that was predicted. At that stage, the government took its own advice and said, 'Look, our expert advice disagrees with those predictions from the academics and from the institutions'. The Government indicated that it did not believe that there would be shortages, other than the specific shortages we have talked about before. In terms of aggregate shortages, in 1998-99 it was predicted that early next decade there would be shortages. It would appear that this latest report confirms the view that the government put some three or four years ago.

The Hon. M.J. Elliott: There will be shortages then?

The Hon. R.I. LUCAS: No, we are talking about early next decade. I said at that time that the government had taken a leading role in terms of the ministerial council to try to get national attention for this issue.

The Hon. M.J. Elliott: Universities cut intakes!

The Hon. R.I. LUCAS: As the honourable member knows, the government cannot control the universities.

The Hon. M.J. Elliott: I am glad you are leading the charge, though.

The Hon. R.I. LUCAS: Most of us acknowledge that we are mere mortals. It is only the Hon. Mr Elliott who is omnipotent, who has power over all things and can control everything that moves, including universities.

The Hon. M.J. Elliott interjecting:

The PRESIDENT: Order! The honourable member has asked his question.

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: Exactly. We would be delighted should we ever see the Hon. Mr Elliott in a position where he actually has to do something, other than just talk about it, and see whether in fact the proof of the pudding can be in the eating.

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: That's true. The South Australian government was supporting a national recruitment advertising campaign, and a number of other initiatives, in terms of trying to encourage more young South Australians and Australians to look favourably upon teaching as a career. I will need to take advice from the minister to see what actions the ministerial council has taken at a national level and what actions the state government has been able to take in the past couple of years. The only other point I would make is that, not having read the report, the suggestion that next year there will be a 50 per cent shortfall, or a shortfall of that order, in secondary teachers in South Australia seems, I have to say, and I am not the minister—

The Hon. M.J. Elliott: That's in recruitment.

The Hon. R.I. LUCAS: Well, that seems to be an extraordinary figure, that there would be a 50 per cent shortfall of teachers in secondary school. I will check the *Hansard* record as to how the Hon. Mr Elliott put that question. I will certainly have the minister and his advisers and staff bring back a detailed response for the honourable member and, in particular, check the accuracy of those claims that the Hon. Mr Elliott put in his explanation to the question.

MOTOR REGISTRATION FEES

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Treasurer a question about car insurance.

Leave granted.

The Hon. CAROLINE SCHAEFER: The *Sunday Mail* ran an article entitled 'New Car Fees Slug', which went on to say that South Australia's motorists may face a new \$15 slug in car registrations. It continued:

The state government has conceded registrations may increase by up to 6 per cent in the lead-up to the July GST. . .

It goes on to quote the RAA as having said that the rise was outrageous. It continued:

The RAA has branded the state government 'tax happy' saying motorists were being 'flogged' for their reliance on cars.

It went on to say:

This is an outrageous grab for cash—the government should be ashamed.

I have here a policy renewal notice from RAA Insurance for a constituent. The total amount payable is \$404.95 and the due date is 8 November. It goes on to explain, under the premium, that the amount includes \$12.68 goods and services tax. The GST amount shown, it says, is calculated only on that portion of the premium which applies to the premium of insurance after 1 July 2000. My maths is not all that good, but it would appear to me that \$12.68 quarterly over a year would be over \$38. A 6 per cent rise would be \$25. Can the Treasurer explain to me the difference between government fees with regard to compulsory third party insurance and the GST and the RAA's fees as they apply to comprehensive car insurance and the GST?

The Hon. R.I. LUCAS (Treasurer): I thought that was an excellent question from the Hon. Ms Schaefer—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: Thank you, Hon. Mr Cameron, for your confidence. I, too, read the *Sunday Mail* front page shock, horror story—

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: Well, at least we can read, Hon. Mr Roberts. The *Sunday Mail*—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: The *Sunday Mail*, with the assistance of the RAA and the Leader of the Opposition, Mr Rann—and I must acknowledge that Mr Rann and the RAA use the same phrases to describe the government: criticising the government as treating car owners as ‘wallets on wheels’ seems to be consistent usage of the same phrase by the RAA and the Leader of the Opposition.

As the Hon. Ms Schaefer indicated, the RAA made a very vitriolic attack, which I will not quote again, on the notion that the GST as part of the commonwealth tax reform package would be applied to the premiums of the government’s own motor accident insurer, the MAC. The headline read, ‘New cars fees slug’. In a number of sections the suggestion was that it was a grab for money by the government in some way, which is completely wrong.

Members interjecting:

The Hon. R.I. LUCAS: That is completely wrong, because the government does not get the money from the premiums from the Motor Accident Commission. The money that the Motor Accident Commission gets from premiums goes towards the payment of various claims. The RAA, having then attacked the government over this issue, as the Hon. Ms Schaefer indicated, has done exactly the same thing in relation to its own motor vehicle comprehensive insurance policies.

I make no criticism of the fact that the GST will impact on the premium levels of the RAA and all other insurance companies. However, what I do criticise is the hypocrisy of the RAA, through its spokesperson, in attacking the Motor Accident Commission and the state government for considering an increase in insurance premiums because of the GST and the national tax reform package, and then doing exactly the same thing itself with its own comprehensive motor vehicle insurance. As the Hon. Caroline Schaefer indicated, depending on how the calculations are done it would appear that the RAA has struck a GST increase of something of the order of 8 per cent to 9 per cent, when the government indicated that the Motor Accident Commission was looking at about 4 per cent to 6 per cent in terms of its insurance premiums.

I think that all members would acknowledge that the RAA has a most important role to undertake. However, if the RAA wants to attack the government of the day or enter into the political debate in relation to the GST and other tax matters, it will need to get its facts right.

The Hon. T.G. Cameron: Are you questioning its right to do that?

The Hon. R.I. LUCAS: Not at all. I just said that the RAA has a role to play. If it wants to get involved in this arena, it needs to get its facts right. The claims that were made by the RAA spokesperson, who was unnamed, were wrong and they were hypocritical compared with its own policy actions in terms of its own insurance policies. If that sort of action continues, it will chip away at the credibility of the RAA in its most important role as representing the interests of motor vehicle consumers and motorists in South

Australia. It has a role to play and it has a right to play it, but it has a responsibility to get its facts right and not to play cheap populist politics with the *Sunday Mail*, quoting incorrect—

Members interjecting:

The Hon. R.I. LUCAS: Well, its facts are wrong.

The Hon. A.J. Redford: Did the journalist check with you?

The Hon. R.I. LUCAS: No.

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: The Hon. Mr Cameron will not have to worry about putting on a fax because I will be writing to the RAA this afternoon, and I will be highlighting to the RAA—

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: I will put the whole lot in there. There is nothing—

Members interjecting:

The Hon. R.I. LUCAS: If I am standing up in the parliament making statements, it is highly unlikely that the RAA people, as avid readers of *Hansard*, will not become aware of what I said in parliament. I will be writing to the RAA this afternoon, asking it to indicate at what percentage level it will levy the GST as an increase on its motor vehicle insurance premiums, so that we can then share information about that percentage level with the consumers of South Australia. Ultimately, the government will be able to compare that with whatever it agrees the Motor Accident Commission will levy on its insurance premiums as a result of the commonwealth government’s GST national tax reform package.

MUNDULLA YELLOWS

The Hon. T. CROTHERS: I seek leave to make a precised statement prior to asking the Minister for Transport and Urban Planning, representing the Minister for Environment and Heritage, a question about Mundulla yellows disease.

Leave granted.

An honourable member interjecting:

The Hon. T. CROTHERS: I am very concerned about some of your backbench, actually. I refer to the *Sunday Mail* of 10 October this year and an article headed ‘Trees hit by killer virus’. The article states that this virus like disease turns the leaves of eucalypts and other natives bright yellow and spreads like cancer, choking the plants and stunting their growth. In 1980 only a few trees were affected at Mundulla near Bordertown. In 1990, it was common along the roads and in the towns of Bordertown and Keith. By 1993, it had doubled in area, and in 1999 it can be found from Mount Gambier to Tailem Bend, Adelaide, the Barossa Valley, Morgan, Berri, Wilpena Pound and Minlaton. The disease is also in Western Australia, New South Wales, Victoria and Tasmania, but South Australia has the most widespread problem.

Dr David Paton, ecologist of the Adelaide University, states in the article that many of the state’s eucalypts could be dead within a year. The disease not only causes problems with eucalypts but also attacks other native plants in the areas, including acacias, sheoaks and grass trees. The destruction of native trees will ruin the habitats of native

animals, destroy agriforestry plantations and increase landholders' salinity problems.

Dr Paton further states that a mere \$150 000 of federal government money has been allocated to fight this disease. It has the potential, he said, to cause billions of dollars worth of damage. My question to the minister, therefore, is: seeing that South Australia has been affected more than any other state by Mundulla yellows disease and the cause of this disease is not yet known, is the state government intending to allocate moneys to aid research? If so, what amount is to be allocated and in what time frame; if not, why not?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I will refer the honourable member's question to my colleague in another place and bring back a reply.

OLDER CITIZENS

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for the Ageing a question about the care of elderly people.

Leave granted.

The Hon. J.S.L. DAWKINS: Yesterday, on 25 October, I saw an advertisement in the *Advertiser* which was authorised by the Aged Care Organisations' Association (South Australia and Northern Territory) Incorporated which was entitled, in bold print, 'Aged Care. An urgent message to all South Australians'. In part, this advertisement had three main paragraphs from which I would like to read, as follows:

In January 1999 the Productivity Commission released a comprehensive report into the levels of subsidies provided by the commonwealth government for the care of elderly people throughout Australia. The Productivity Commission confirmed that the current systems, whereby commonwealth funding for the care of the frail dramatically varies between States, particularly disadvantages elderly South Australians and Queenslanders.

The extent of this problem is significant—each of our most frail and needy residents receive over \$4 000 per year less than their counterparts in Tasmania for no justified reason.

The Productivity Commission found that federal government policy aimed at addressing this injustice was inadequate and should be abandoned. It recommended that uniform national rates be adopted and that means additional funding for South Australia be made available. . . The state government understands our cause. Federal coalition members in South Australia, who have been supportive, have made frequent representations to the Minister for Aged Care, the Prime Minister and members of cabinet on this issue. We have asked them to take heed of the Productivity Commission's recommendations and ensure, in the International Year of the Older Person, that the frail aged in South Australia receive economic justice.

Is the situation as depicted in that advertisement accurate and, if so, will the minister indicate what action has been taken by the state government to emphasise this issue to the Federal Government?

The Hon. R.D. LAWSON (Minister for Disability Services): I saw the advertisement published in yesterday's *Advertiser* by the Aged Care Organisations' Association. That organisation and others in the aged care field have been communicating with me and other ministers in the government concerning the fact that, under the federal Aged Care Act, South Australian aged care facilities receive subsidies for residents that are substantially less than those received in some other states. For example, in Tasmania a resident at a high level of care attracts an annual subsidy of some \$40 500; in Victoria it is also over \$40 000; and in New South Wales, over \$38 000.

On the other hand, in South Australia a resident attracts \$35 992 and in Queensland even less, \$33 386. This disparity arose because in, I think, about 1987 the federal Labor government decided to base subsidies on wage rates for a mix of staff at different nursing homes. The federal Liberal government, when elected, said that it would create uniform subsidies across the board over a period of seven years, the period of seven years being to allow a gentle change of subsidies. It would mean, for those who receive higher subsidies, a reduction in funding and for others, such as South Australian operators, a rise in funding. However, in 1997 (I think it was) the federal government decided to refer that issue of coalescence to the Productivity Commission.

At that time we supported the introduction of uniform subsidies. However, operators and the South Australian government were concerned at the duration of the period of coalescence, because it would mean that South Australian operators and, through them, their residents, would suffer this disparity for a very long time. Contrary to the advertisement read by the honourable member, it was actually in March of this year and not January that the Productivity Commission's report was handed down. The Productivity Commission found that there was no rational basis for a disparity in aged care subsidies and recommended that the process of coalescence recommence. The South Australian government supported that proposition and, indeed, we wrote to the federal minister urging that course of action.

To date, however, the federal government has not taken up the suggestion. In order to effect an immediate unification of aged care fees, it would have been necessary for the commonwealth to make a substantial injection (I think estimated at about \$200 million), but no funding was provided in the last federal budget.

To date the federal government has not adopted the suggestion, despite many representations from this government, from the Queensland government and also, I am glad to say, from coalition members of parliament. We will continue to press the federal government. The Minister for Aged Care (Hon. Bronwyn Bishop) will be visiting Adelaide shortly and I will again raise the matter with her. We will continue our representations for South Australian residents because it is the residents rather than the operators who suffer if the level of fees remains disparate.

This issue was graphically highlighted to me only last week when I inspected the new Boandik Lodge aged-care facility in Mount Gambier, which is being extended, I am glad to say, with financial assistance from the South Australian government. The manager of that very well-run facility in Mount Gambier pointed out that the level of his subsidy is \$150 000 a year less than if the same facility were run in Portland over the border, and there is no appreciable cost differential in operating those two facilities. The manager pointed out to me that \$150 000 means five care workers in his facility providing a higher standard of care for South Australian residents. It is in the interests of residents rather than operators that we are certainly pressing for immediate action by the federal government on this important issue.

ABORIGINES, TRAINING

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for Aboriginal Affairs, a question

about training for Aboriginal South Australians in enhancing and protecting national parks.

Leave granted.

The Hon. T.G. ROBERTS: There is a bipartisan approach to this issue of trying to engage Aboriginal people to become paid national parks rangers as well as encouraging them, in areas of South Australia that have high populations of Aboriginal people, to become a friend of national parks. The program has been run, I think, quite professionally by the current government. However, I suspect that the program is under financial restraint in terms of enhancement and that it has become a little moribund. Aboriginal groups within South Australia have some concerns about future training programs and the future role of Aboriginal people in protecting national parks and would certainly like the government to make some forward policy announcements on the future.

I, as Aboriginal spokesperson on this side of the Council, would like to see a curriculum development put together in regional centres and in regional and metropolitan high schools to encourage young Aboriginal people into national parks training programs to not only slow down but also prevent the escape of young Aboriginal people from the training that they require in secondary schools. We are finding a lot of truancy, particularly amongst early attenders of high school, because, in many cases, young Aboriginal people do not see that they have a lot of future in the system. My questions to the minister are:

1. How many Aboriginal South Australians are currently being trained for future positions as national park rangers?
2. How many positions currently exist?
3. How many positions are envisaged for the next decade?
4. What curriculum development is being encouraged at Meningie, Maitland, Glossop, Port Augusta, Whyalla, Port Lincoln, Port Adelaide, Gepps Cross, Elizabeth, Christies Beach and other regional secondary schools to prepare young Aboriginal students for positions in national parks and wildlife training?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I will refer those questions to the minister and bring back a reply.

STRATHMONT AGED-CARE FACILITY

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Minister for Disability Services a question about the Strathmont aged-care facility.

Leave granted.

The Hon. SANDRA KANCK: In the 1999 Auditor-General's Report there is specific mention about public governance and, in particular, the role of the Public Works Committee. In section A.3-93 the Auditor-General says:

Given the importance of the role of the Public Works Committee, its statutory charter and its responsibility in providing a control mechanism for the expenditure of public money on public works, any matter that impedes its operation and its effectiveness is a matter of importance.

The Public Works Committee is currently considering a proposal from the Intellectual Disability Services Council to construct a purpose built aged-care facility at Strathmont for people with multiple and severe disabilities at an estimated cost of \$5 million. The Public Works Committee set up a consultancy to 'determine the best way to carry this project forward using the best possible service delivery models and administrative framework which will remain valid for the foreseeable future'.

The consultancy was comprised of professionals from across the disability sector, one of them being Mr David Caudrey, now the newly appointed Director of the Disability Services Office. I understand that the consultancy recommended that the aged-care facility not proceed. In fact, the consultancy report states:

1. Development does not fit in with the prevailing philosophies embedded in legislation and standards for disability services.
2. It is designed to meet the needs of one distinct group of residents who have been institutionalised all their lives and does not equate to the type of service model other people with disabilities are expecting to access when they begin to age.
3. The incongruence of resident ages and the support levels required by the majority. [28 low level support and 22 high level support: the facility is largely focused on high level support.]
4. The inadequacy of consultation throughout the development of the proposal.

This includes residents, their families and peak disability advocacy bodies. It continues:

... minister's Disability Advisory Council was not privy to the proposal despite being the main consultative mechanism available to the minister.'

5. Community integration was not encouraged.

Despite the findings of the consultancy report and despite the fact that the Public Works Committee had not finished its final report and released its findings, the Minister for Disability Services made a public announcement that the aged-care facility at Strathmont would go ahead. My questions are:

1. Why did the minister make this announcement before the Public Works Committee completed its deliberations?
2. Was the minister aware of the consultancy report and, if so, why did he ignore the recommendations of that report?
3. Will the minister consult with his newly appointed Director of the Disability Services Office with regard to this matter?
4. And, in relation to the comments of the Auditor-General's Report, does the Minister consider that his announcement has impeded the operation and effectiveness of the Public Works Committee?

The Hon. R.D. LAWSON (Minister for Disability Services): The decision to establish an aged-care facility to accommodate residents of Strathmont was made some time ago by a predecessor of mine. It was announced in the government's election policy as a promise and resulted from lengthy consultation between many people who have been directly involved in the proposal over a considerable time. When I came into this portfolio a decision had already been made about the establishment of this aged-care facility; plans had been drawn up; and families had been informed of the decision to establish the facility and they were highly supportive of it. There was never a word from the opposition or the Hon. Sandra Kanck during the period of the election to contradict the promise that the government had made publicly to establish this facility.

When the matter was before the Public Works Committee a number of people with a philosophical view about the establishment of institutions prevailed upon some members of the Public Works Committee to appoint a consultant to advise that committee—not on the building proposals, not on the structure that was proposed, but rather on the philosophy behind establishing an aged-care facility of this kind. It was their view that people with a disability should have access to generic aged care facilities—nursing homes and hostels—in the community generally; and it was their belief that a specialist purpose-built facility was inappropriate and

inconsistent with prevailing philosophy. That was also the view of the consultants who were selected, and it was no surprise that the consultants would come up with that type of recommendation.

However, when I saw the consultants' report I engaged in consultation with a number of people. I attended at Strathmont and saw the families and friends, residents and staff to investigate precisely why it was that they wanted to proceed with this venture. Many of them told extremely interesting stories of how their family member had been admitted to a generic nursing home or aged care facility and had been rejected or extremely unhappy in facing not being accepted by other residents and of being in a facility that was not designed or especially adapted for their needs. They said how much happier their relation/family member was at Strathmont, being cared for by people who were dedicated to the care of people with intellectual disabilities.

Those family members were strongly supportive of their family member going into a specialist aged care facility rather than being returned, where they had failed in the past, to a generic nursing home. Bearing in mind that this project had been in planning and preparation for some considerable time, that families and staff had been very supportive of it and that the Intellectual Disability Services Council had been supportive of the proposal, and taking into account the views of the specialist consultants, the government and I took the view that it was appropriate to proceed with the project. That is why the government decided that it would proceed with this facility. It may be that at some time in the future generic nursing homes or aged care facilities will be in a position to say that they are able to accept people with intellectual disabilities and some of the other severe disabilities that some Strathmont residents have.

A similar aged care facility, called the Pat Kaufmann Centre, was opened only recently at Minda at Brighton. This facility, which serves the southern areas of Adelaide, is operating very well and is providing an appropriate level of care. It was my belief that it was entirely appropriate that people at Strathmont who age and who are no longer appropriately housed in the Strathmont facility should have a centre which was especially adapted to their needs.

I do not believe that the government has ignored the views of the Public Works Committee. We have not infringed any principle that the Auditor-General espoused in his report last year. The honourable member mentioned Dr David Caudrey. I am delighted that he has accepted the position of the Director of the Disability Services Office. I will have discussions with him about the progressing of this matter when he comes aboard.

SITTINGS AND BUSINESS

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That standing orders be so far suspended as to enable Ministers to give notices of motion and replies to questions.

Motion carried.

EMERGENCY SERVICES LEVY

In reply to **Hon. J.F. STEFANI** (28 September).

The Hon. K.T. GRIFFIN (Attorney-General): The Minister for Police, Correctional Services and Emergency Services has provided the following response:

RevenueSA, as the contractor for sending out Emergency Services Levy bills, has been advising conveyancers of the amount of levy payable, and inviting payment of that amount, as part of the settlement process for all property transactions. This process

commenced on 1 July, 1999. All types of property have been transferred, although the majority of these transactions have involved residential properties due to the fact that there are far more residential properties than any other type.

Approximately 1 000 property transactions occur weekly, resulting in a total of approximately 18 000 requests for a 'certificate of levy amount' being generated. To date only 8 200 early payments of the levy as part of this process have occurred. Some of the levy rates used in this process have now been superseded by the remissions approved by cabinet on 27 September, 1999. Refunds will be provided of overpaid levy amounts to the owner, as at 1 July 1999, of the land transferred. The remissions only apply to the variable component of the fixed property levy, leaving the \$50 fixed charge on each property transferred still in place. The remissions will apply to all residential properties.

Not all classes of property will receive a remission and therefore an ex gratia refund payment. RevenueSA estimates that only 8 000 cases of those levies paid so far will require an ex gratia refund payment, these being predominantly residential. It will not matter if they are owner occupied or rented since settlement as this is immaterial in determining the remission. In these cases only 48 per cent of the variable component of the amount already paid will be remitted and refunded. The process to facilitate the ex gratia payments is currently being examined by RevenueSA to ensure the most expedient method is employed.

Section 21(2) of the Emergency Services Funding Act, 1998 allows an adjustment to be made to the levy payable if an objection, review or appeal results in the alteration of a valuation or a decision to attribute a different land use to land. Section 21(2)(a) provides for the refund of any overpayment following a successful objection, review or appeal, and section 21(2)(c) provides for interest to be payable on an amount to be refunded in these circumstances. Section 21(2)(c) does not apply to ex gratia payments resulting from remissions. Thus there will be no interest payable on overpayments refunded as a result of the recently announced remissions for residential and other properties.

In reply to **Hon. CAROLYN PICKLES** (28 September).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has provided the following response:

The contribution from vehicle owners to the Emergency Services Levy was recommended to the Minister by the Emergency Services Funding Advisory Committee. This statutory advisory committee was charged with providing the minister with advice on the levy, including that amount raised by means of the levy on land, and thus by exclusion that amount raised from mobile property.

The committee advised the minister that a proportion of approximately 25 per cent contribution from the mobile property sector is considered appropriate and justified. This approach was taken after an analysis of the growing number of vehicle related incidents attended by the Country Fire Service, State Emergency Service and SA Metropolitan Fire Service.

Expenditure from the Community Emergency Services Fund on emergency services to the community is still budgeted to be \$141.5 million. Motorists are to contribute 25 per cent of this amount.

RISDON PARK SCHOOL SITE

In reply to **Hon. R.R. ROBERTS** (28 September).

The Hon. R.I. LUCAS (Treasurer): The Minister for Education, Children's Services and Training has provided the following information:

1. The Minister for Education, Children's Services and Training has approved the sale of a portion of the site (approximately 1.425ha). It is proposed that this portion of the site will be developed into quality housing allotments. The Department for Environment, Heritage and Aboriginal Affairs (DEHAA) has advised that a contract has been signed and a plan of division has been lodged in the Lands Titles Office. This transaction will be finalised following approval and deposit of the plan. The name of the purchaser and the amount will not be made public until the transaction is completed.

At present DEHAA is negotiating the sale of the remaining property. Details of the two offers received are not able to be provided as negotiations are still being undertaken.

2. With the exception of one timber transportable building, all transportable accommodation has been relocated to other sites. Eight solid buildings remain on site.

On closure of the school, the former Premier, Hon Dean Brown MP gifted the gymnasium (Building 2) to the city of Port Pirie.

The property was originally placed on the market at \$300 000, including land and improvements, however DEHAA has advised that the current site value is significantly less with or without improvements. The value has dropped significantly, as there is no market demand for the property or similar properties in Port Pirie.

3. The option of utilising the buildings for education purposes has been explored. Cost estimates to refurbish the buildings is in the order of \$1.3 million. This estimate does not allow for fittings, fixtures, upgrade of mechanical plant, structural upgrading etc.

DEHAA is aware that the Port Pirie and Districts Council forwarded an offer to take over the property in March 1999 for a community centre. DEHAA have advised that they believe the offer is based on government establishing the centre and meeting all associated costs.

4. The Valuer General has provided a fair market value for the property as a vacant site. This value will not be made public at this stage because of current negotiations for disposal.

Subdivision of the whole site has been considered and rejected due to the financial outlay and uncertainty in respect to the sale of allotments.

The approximate cost of demolition is \$120 000 with decontamination and remediation estimated at \$70 000. The expended maintenance and security costs to date total approximately \$100 000.

In consideration of the ongoing financial cost to government, all offers received are being considered.

EDUCATION AND CHILDREN'S SERVICES LEGISLATION

In reply to **Hon. M.J. ELLIOTT** (29 September).

The Hon. R.I. LUCAS: The Minister for Education, Children's Services and Training has provided the following information:

The review of the Children's Services Act and the Education Act is very important to all South Australians. Consequently an extensive information and consultation strategy is being adopted with a special emphasis on parents and students.

There are four discussion papers. It is the first which concerns the honourable member although this reply covers all aspects of the review.

Information, including copies of the discussion papers are currently available to parents, including those who do not speak English.

25 000 copies of Discussion Paper 1 have been widely distributed to almost 800 individuals who comprise the Legislation Review Unit's community database, and, to all schools, preschools, centres, special interest groups, school authorities, government departments, school councils, preschool management committees, individual multicultural community groups, ethnic schools, further education institutions and peak organisations.

A summary of Discussion Paper 1 which relates to access and participation in preschool and school education, and Discussion Paper 2 (Children's Services) is being provided in Chinese (Mandarin), Vietnamese, Khmer and Serbian. These languages were selected on the basis of Office of Multicultural and International Affairs (OMIA) statistics for translation requests, and they are the languages spoken by our most recent immigrants.

Translated summaries are distributed to targeted communities through the Multicultural Communities Council database of contacts, ethnic schools that teach the targeted languages, the Independent Schools Board, the Catholic Education Office, Department of Education, Training and Employment Programs and Curriculum Group, the Multicultural Education Coordinating Committee and the Tertiary Multicultural Education Advisory Committee.

Advertisements in the Advertiser, Messenger Press and ethnic media have informed the community of this strategy.

A forum is to be held on 3 November at the Dom Polski Centre to consider multicultural perspectives for Discussion Papers 1 and 2. This group will be structured to consider issues common to both papers as well as aspects of the review particular to children's services. This forum is in addition to the 20 similar forums which have been conducted throughout South Australia since the release of the paper in July.

In recognition of the delay caused by the translation process, submissions from the communities for whom translations have been provided will be received until Friday 12 November 1999.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 21 October. Page 178.)

The Hon. R.R. ROBERTS: I rise to again thank His Excellency Sir Eric Neal for the speech with which he chose to open parliament. The speech, as we all know, is always compiled by the government and, therefore, today I intend to talk about something that was not in the Governor's speech, but I believe ought to have been in his speech. It is clear that there is not a word about probably the biggest single issue worrying people in South Australia, and that is their health and the provision of health care in South Australia. It is very little wonder that nothing is being written in the Governor's speech by the government about health services, because a perusal over the past three months quite clearly shows that this government is in absolute disarray. They do not know from one minister to another what is going on in health. We have had conflicting statements by the Treasurer and by the Minister for Health, Hon. Dean Brown, about what funding is available for health. Everybody in the government, including the Deputy Premier—and I refer to a recent issue of the *Recorder*—keeps saying how much extra money is being put into health services.

However, we see that during the Estimates Committees the minister in charge quite clearly told the committee:

... we will need to achieve savings across the portfolio of \$46 million compared to the real level of expenditure in this current financial year.

Around \$6 million of these savings will come from country hospitals; \$30 million will come from the metropolitan hospitals; and \$10 million will come from other areas of the human services portfolio.

He also pointed out in the statement at the time of the budget that there were to be changes in the health services, and one of the points that he made in his press statement of that day was:

Activity at South Australian public hospitals will be maintained at the 1998-99 budgeted levels. This will result in about 14 000 fewer admissions and a significant reduction in non-admitted patient services in 1999-2000 compared with the actual activity levels in 1998-99.

So we have the Treasurer who came out in response to a story that was triggered by myself in Port Pirie, where I was approached by a Mr Don Dietman complaining bitterly about the fees that he was being charged for his 80cc scooter, valued conservatively at \$500, which was now going to cost \$154 per year in government fees and charges. That is before he put petrol in it; just so he could put it on the road. During our investigations we found out that the stamp duty on the third party insurance had gone from \$15 one year to \$60 in the next. This matter was again raised today by way of a question in the Council and the Treasurer touched on that matter and pointed out that he was not going to receive the money on the rates charged to vehicle owners for their compulsory third party insurance. But one would assume that, if there was an increase in that, the stamp duty would probably go up, so in fact the RAA would have been right in that the government was to get part of the take.

In response to that story about Mr Dietman, the Hon. Mr Lucas said that the opposition had failed to take into account the fact that pensioners did not pay stamp duty and the increased rate had been collected only until 30 June. We calculated that \$47 million would have been collected from the stamp duty increase on compulsory third party insurance,

and I thank the Hon. Mr Lucas for pointing out that it had not been collected for the full year. He said that some \$32 million had been raised from the third party stamp duty and that health funding in this year's budget had increased by \$32 million, which is in complete contradiction of what the Minister for Human Services said.

They were all revealed to be inaccurate by the federal Minister for Health, Dr Wooldridge, who made a statement on the issue on 22 July this year. One article reported the following:

The figures released yesterday by Dr Wooldridge—from the independent Commonwealth Grants Commission—show that for every dollar the state government spent on public hospitals in 1991-92 it now spends only 78.6¢. . .

It has been revealed by an independent source that, since this government came to power, it has cut health funding in this state by approximately 22 per cent.

What has been the effect of some of these things on ordinary South Australians? I have been doing some polling in the seat of Frome through Port Broughton, Crystal Brook, Laura, Gladstone, Redhill, Snowtown, Lochiel and Riverton. I have found that 80 per cent of all respondents to the circulars that we put out noted that health was either the first or the second most important issue worrying those South Australians.

A number of issues have been raised with me about health in rural South Australia in particular. The casemix funding in at least one country hospital had to be revised because a doctor became available in that hospital after it had budgeted for not having a doctor at the hospital. When a doctor became available the budget was blown out of the water, so the hospital is now under extreme pressure. Problems have arisen with retrievals and in trying to get patients to Adelaide to receive attention. Consistently we find that patients complain that they have no means of transport to Adelaide for the medical care they need, and that does not include a very worthwhile scheme which operates out of Clare and provides support for country patients.

The latest and most alarming issue was revealed to me by a young expectant mother who informed me that she has been advised that the Port Pirie Regional Hospital will close its maternity ward over Christmas from 20 December to 14 January next year. So if any woman dares to have a child during that period, they will not be housed in the maternity ward, which is a relatively recently upgraded facility in the hospital. I claim some credit for that because one of the last things we did before we went out of government in 1993 was to elicit support for the revamping of the maternity facilities at the Port Pirie hospital. The government eventually got around to doing it but, having achieved that goal, it is now set to lump the first children to be born in the year 2000 into the general ward. I have had interviews with a woman who was in that position last year. Having taken the trouble to inspect the facilities at the Port Pirie Regional Hospital that were provided for expectant mothers and having been very happy with those facilities, she was told when she arrived at the hospital in heavy labour that she would be put into the general ward.

There have been a number of contributors to this debate in the past couple of weeks. Doctors are supporting the young expectant mothers, who are petitioning members of the community for support to keep the facility open. The mayor has spoken out in support of extra funding, as has the Nursing Mothers Association. Between 400 and 500 people have already signed petitions calling on the hospital board to

reverse its decision and provide those very worthwhile facilities for the babies who will be born in the year 2000.

Many people have expressed the opinion that they find it incredible that, in the year 2000, a mother arriving at Christmas time to have a baby cannot find a bed in the hospital. The last time that happened was 2 000 years ago. Another problem could arise from this decision. If in the general ward there are patients recovering from a serious motor accident or from an epidemic of gastroenteritis or something else and all those beds are full, will the Premier and the Deputy Premier expect those expectant mothers to go across the road to the Federal Hotel and see whether they can get a room there? They cannot use the stables because Joey Lambert, the old proprietor, pulled the stables down 20 years ago.

It is an unacceptable situation in modern South Australia if first-rate facilities are not utilised and mothers are put into general wards with patients who may be suffering from gastroenteritis. I am told that last year there was a range of illnesses in that hospital and that, when one of my constituents arrived, it was found that the foetal heart monitoring machine was missing, so staff had to rush around to find it; meanwhile, there was a young woman in heavy labour and in somewhat of a panic. A number of people have asked what the Hon. Mike Rann and I are complaining about because there were no complaints when the ward was closed last year. The impossible I can do from time to time if someone makes it available to me: miracles take a little longer.

The argument that because it happened last year and there was no formal complaint seems to be enough for the Hon. Rob Kerin, the local member, to say, 'Well, it happened last year, so we ought to do it again.' That is akin to saying, 'I beat up a little child last week so it is all right for me to do it this week, because nobody complained.' Now people are complaining. They are saying that it is unacceptable and they are asking for something to be done. It has been said that there is very little chance of anything going wrong and that it is okay to put maternity patients in with general patients and with recovering surgical patients.

We have only to ask a simple question: if it is so good and it causes no problems, why is it not done for the other 11 months of the year? The answer is quite clear. They do not do it because it is unacceptable. It would not be acceptable in metropolitan Adelaide and it is not acceptable for those people who choose to live outside the metropolitan area. I call on the Minister for Human Services and the Premier to make funding available to ensure that this facility is open over Christmas.

We are talking about the amount of money that it will cost. A number of people have commented on this and time does not permit me to go into the full story but, as I have been reading this horror story through the pages of the local *Recorder*, I have also read that the Hon. Rob Kerin says that we keep pouring money into health and it is never enough. He believes that the hospital is doing a good job, and he says that he thinks that it should happen in metropolitan Adelaide as well. So, we have the Deputy Premier saying that he believes that mothers in Adelaide ought to be subject to this type of practice even in the year 2000.

I found an insert in the same issue of the *Recorder* headed 'Directions for regional South Australia'. It is a full colour, 12 page document, which clearly is just propaganda for the government. One must ask the question, 'What was the cost of this publication?' It covers all regional areas, and it talks about the arts. A whole range of people have made contribu-

tions, and this full colour publication has been distributed in every rural press copy issued in South Australia. I am told that it has been done in other areas besides Frome. One has to wonder about the cost of that propaganda sheet compared with the cost of keeping open the maternity hospital in Port Pirie. I will bet that the cost of running that hospital was at least a quarter of the cost of this propaganda machine on which the government has wasted taxpayers' money. It has denied the mothers of future South Australians the opportunity to have their babies in a nurturing atmosphere and not be part of a meat machine at the Port Pirie hospital.

I want to talk about a number of matters, one being an issue that has been bubbling away in the South-East for over 12 months. 'Bubbling' is probably the wrong word, because the one thing that has not been happening is an equitable distribution of water allocations in the South-East, around Keith and Tintinara in particular. A number of landholders have invested enormous sums of money on the basis that they would be given water allocations for wine grapes, small seeds and so on. These people, who were looking to expand and consolidate their farming disciplines in the South-East, applied to the banks for funding. They did their business planning but in early 1999 a moratorium was put on water allocation. That of itself is not irresponsible: in fact, the reverse is true. It probably is responsible that we ensure that those precious water facilities in the South-East are equitably and reasonably accessed. But the Minister for Environment and Heritage, the Hon. Dorothy Kotz, quite clearly has lost the plot when it comes to this matter.

Already there has been one lower house select committee on South-East water allocations, which was instigated by Mitch Williams. We found that things were lacking in the system then. However, the minister seems to have learned nothing. I understand that there are two facets: first, there is the environmental consideration and, secondly, I understand that the Minister for Primary Industries is charged with the science of determining what water allocations can be made from both the confined and the unconfined aquifers in the South-East. However, we are now receiving complaints from the environmental lobby in the South-East because people, in the best of faith, have prepared land for small seed growing with centre pivot irrigation systems. They have had their bank loans approved and are ready to go. However, they have been waiting for months and months and, of course, some of the sandy ground is starting to shift, causing environmental problems.

The South-East group that is looking at this matter has concerns about the viability of some of the farms in the area. They are also concerned that there seems to be an inequity in the way some of these allocations are being made. I am advised that at least one major development in the South-East was given approval and a licence, despite the fact that, at the time the allocation was made, just prior to the moratorium being put on, they still did not own the land. However, they did have a business plan, and they were given an allocation for water whereas other people were not. A whole raft of problems is associated with the allocation of water. It is getting out of hand. It was stated recently in a contribution in the *Border Chronicle* that Mitch Williams had turned up to a meeting and expressed his concerns: he is asking a series of questions.

I call on the local member, Mitch Williams, to put his foot down firmly. Mr Mitch Williams was elected by those people in the South-East to get water allocated to them: he was not elected to go to water. He needs to put the pressure right on

the Minister for Environment and the Minister for Primary Industries to get this matter sorted out. If it is not sorted out in the next couple of months, when the moratorium ends, those landholders in the South-East who have invested vast sums of money in their future will be faced with not knowing whether they will get a licence. The fact that they have actually borrowed the money and have bought the infrastructure but have not been given any indication as to whether they will be given a licence at the end of the moratorium is causing great hardship and a great deal of concern. I call on the Minister for Environment, the Minister for Primary Industries and Mitch Williams to put some real acid on the government to ensure that those people in the South-East are given a target or at least some idea as to what their future may be in horticulture and farming in the South-East.

One could cover a number of other issues in a contribution of this kind. However, I understand that six or seven other speakers need to talk today. Because the government has kindly agreed to give me a pair to attend to business in Port Pirie, I will conclude my remarks. I again congratulate His Excellency Sir Eric Neal on the speech with which he chose to open this Forty-Seventh Parliament.

The Hon. CAROLINE SCHAEFER: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. L.H. DAVIS secured the adjournment of the debate.

HIGHWAYS (ROAD CLOSURES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 October. Page 114.)

The Hon. SANDRA KANCK: I understand that the purpose of this Bill is to ensure that any action taken by a local government entity to exclude vehicles from a road under the care and control of the Commissioner of Highways can have no effect unless the commissioner approves the action. I believe that this bill has occurred, at least in part, because of by-laws passed by Prospect council to prevent certain heavy vehicles from travelling through that area. I am quite disturbed by the legislation and wonder whether it is necessary.

I wrote to the Local Government Association, which said that it has no particular problem with it. Nevertheless, it strikes me that, with federal government plans to build a low to medium level nuclear waste repository and the threat of Pangea's locating a high level waste repository here in South Australia, being able to make a decision through by-laws that certain vehicles carrying radioactive waste would not be able to travel through particular local government areas might be a very useful device to have to prevent these dumps taking the waste and, effectively, to prevent the dumps from operating.

It may be that, if a particular local government entity were to pass a by-law that prevented that from occurring, the Commissioner of Highways might concur, but there is no guarantee that that would be the case. I am rather concerned that, with the emphasis that the present government puts on employment at any cost, there would be a certain attractiveness to having a low, medium or high level waste repository, and if a local government entity were to say, 'We don't want vehicles carrying nuclear waste coming through our area,' the commissioner, with advice, obviously, from the minister and

the government, may well decide that they would not agree with such a by-law.

Because I see this as being a weapon that we can use in being able to prevent this nuclear waste being dumped in South Australia and turning us into the dump state, I will be opposing this legislation.

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I thank members for their contribution to this bill and note the support of all members with the exception of the Hon. Sandra Kanck and the Australian Democrats. I will not dwell on the comments made by the Hon. Sandra Kanck, because I think that, if she thought through the issues, she would see that the only way in which such material could reach any site in South Australia would be through using the national highway network, and I do not think that at any stage a federal government of either political persuasion would tolerate a council's saying no to particular types of vehicles on those roads.

The integrity of the network is particularly important, and what took local government by surprise (and certainly took me by surprise) in relation to the actions by the Prospect council is the fact that it was so unneighbourly. There was no regard for adjacent councils and the impact on them of the move by Prospect. That is a particularly important issue in this instance, because the heavy vehicle traffic to which Prospect took exception is much lower in number than is the case through adjacent council areas, whether it be Charles Sturt, Port Adelaide Enfield or Burnside council areas. Also, the impact of the by-law is rather ludicrous in the sense that, because it followed council by-laws and the median strip down Hampstead Road is in fact the boundary, it would have had heavy vehicles being able to operate down one side of Hampstead Road but not the other.

It would have been quite difficult to explain that to interstate operators and others who are so important in terms of generating business here and keeping jobs here because we have ease of access and reasonable costs in getting our product to markets interstate and overseas. The government, without embarrassment and without qualification, strongly promotes employment generation and retention in this state: we have never said that we would do so at any cost, because we would not take risks with workers' lives. For instance, we would always respect occupational health and safety issues. We have a very strong development and planning system in this state, and issues of the environment are always taken into account in any development application.

So, to say 'employment at any cost' is not sound; but employment as a focus for this government, that is true. In relation to this bill I have received a letter from the RAA, which reads in part:

We support the contents of the bill, believing that the amendments are necessary to preserve the strategic importance of the arterial road network.

I was pleased to receive that advice from the General Manager of Public Affairs, Ms Karen Gomez, because some concerns have been presented to the RAA about this bill. I thank all members for their contribution to this measure. I add, too, that I have also received a letter from the mayor of the City of Prospect, councillor Frank Stock, which is dated 13 October and which states:

The City of Prospect will be taking no further action to control heavy vehicles on certain roads within the city.

Notwithstanding that advice that the City of Prospect is not proceeding with its by-law, this bill is nevertheless necessary so that the law is quite clear and we do not have the same debate in other areas such as the metropolitan area or elsewhere.

It is also important to recognise that this law simply implements what has been in practice since approximately 1926. It had not been tested to this time because, on all other occasions—until this incident with Prospect—agreement has been able to be reached between state and local governments.

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

MOTOR VEHICLES (HEAVY VEHICLES SPEEDING CONTROL SCHEME) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 19 October. Page 114.)

The Hon. T.G. CAMERON: This bill will replace existing provisions in the Road Traffic Act 1961 with respect to the fitting of speed limiters to speeding heavy vehicles. The bill targets those heavy vehicles that are repeatedly detected driving at 15 kilometres or more over the speed limit over a three year period. The bill introduces a scheme for controlling speeding heavy vehicles by extending responsibility for repeated speeding offences from drivers to the registered owner of the truck. The scheme will also include associated owners, such as spouse, brother or sister, child, parent, partner etc., and will close down an avoidance loophole.

I am not certain, however, whether the way in which this has been done will completely close all the loopholes. My experience has been that, when one loophole is closed, within a matter of months (usually aided and abetted by lawyers), additional loopholes are found. I wish the minister well in that regard, but I urge her to keep a close eye on it because I do not expect that it will be very long before people find some other way of opening a loophole—perhaps by setting up a number of companies and holding trucks and registration names in different companies. One would hope that people will not walk down that path.

A number of penalties can be incurred. The first breach will incur a warning; the second breach will result in the owner having to demonstrate that the speed limiter is working properly; the third breach will result in an eight day suspension; and a fourth or further offences will result in a three month suspension of registration. I do note that a number of trucking companies currently have speed limiters fitted to their trucks. The other day I was cruising along in the country, and naturally I was sitting on the speed limit of 110 kilometres, and a truck passed me which had a big sign across the back of it and which read 'Speed limiter fitted to this truck. Cannot do more than 100 kilometres per hour.' Either my car's speedometer was grossly out of order or the truck driver did not have his speed limiter fitted.

The Hon. Diana Laidlaw: Did you get the company name?

The Hon. T.G. CAMERON: No, I did not. I was tempted to but, I guess, I have spent too much time trying to keep workers out of trouble rather than reporting them. I did not want to get the driver into trouble and run the risk of his being dismissed. It is usually not my caper to do that. Similar schemes are operated by New South Wales, Victoria and the

commonwealth. A publicity campaign, as outlined by the minister, will be undertaken to educate the road transport industry of the details of the scheme. My understanding is that the scheme does have, generally speaking, wide support within the road transport industry.

The people with whom our office spoke—albeit they were larger operators—support the initiatives the government has introduced into this chamber. Considering the number of horrific accidents and deaths that have occurred over the past couple of years involving speeding heavy vehicles and other road users, this bill could only be seen as a step in the right direction and long overdue, notwithstanding some concerns I have about it, which I will raise in a moment. Whilst the vast majority of drivers and truck owners are responsible and professional people, unfortunately, as is often the case, a very small percentage continue to act irresponsibly. It is this small, irresponsible group to which this legislation is principally aimed.

I have no hesitation in saying that, for the safety of other road users, it is this errant minority who need to be driven from the industry. SA First supports the second reading but I would like the minister to look at a couple of areas, because it is not my intention to raise question after question in committee. I am concerned about the impact of this legislation on the single owner/operator and small business operators. A large trucking company's capacity—which might be 20, 30 or 40 trucks or, in some cases, hundreds—to cope with one of its vehicles being off the road is self-evident. However, if you are a small owner-operator who operates two trucks, you drive one yourself and the other is operated by another driver.

The Hon. A.J. Redford: That probably explains why the big companies are supporting this legislation strongly.

The Hon. T.G. CAMERON: The Hon. Angus Redford interjects, and I can only agree with his observation that all the larger trucking companies are supporting this legislation.

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order!

The Hon. T.G. CAMERON: I will recognise the Hon. Angus Redford's interjection, but I will let him explain to Mr Scott in Mount Gambier.

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order! The Hon. Mr Redford can make a contribution if he wishes.

The Hon. T.G. CAMERON: What the Hon. Angus Redford is on about is that this legislation impacts upon the large business operators, the large trucking operators, far differently from what it will—

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: It will operate in the same way, but its impact will be far different. In relation to my example, the small owner-operator's driver gets into trouble and he ends up finding that his truck is put off the road. It may well be like most of them in the industry: their trucks are heavily mortgaged. He loses half his potential income yet his mortgage or leasing payment on the truck remains. And some of these trucks run into a considerable sum of money: they are not small leasing fees.

I am asking the minister, first, to take on board my comments that this legislation can, could and, I suspect, in certain instances will create terrible problems for some small owner-operators. As I understand it, the ability of an employer to terminate a driver who is constantly caught for speeding offences is somewhat limited.

The Hon. A.J. Redford: You read my speech, didn't you? We have come to the same conclusion.

The Hon. T.G. CAMERON: No, I have not read your speech but you know the old saying: 'Great minds think alike'; perhaps that has more to do with it. This legislation will impact on the small owner-operator and the small businessman in the industry much more severely than it will on the larger operators. They are in a much better position to cope with one of their trucks going off the road. However, I do point out that it applies to driving more than 15 kilometres over the speed limit and that a number of breaches have to occur before they finally reach the stage—

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: Well, I guess you have more chance of being picked up by speed cameras in South Australia than in Victoria, because at least in Victoria they have the decency to put up signs warning that speed cameras are used in the area—and I can tell you, as someone who has just driven back from Victoria, that they slow you down.

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: They are going to fix that, are they? But your bill addresses only half the problem. I ask the minister whether she will monitor the impact of this legislation on the small owner-operators and small business drivers in particular through the various associations that represent owner-drivers, such as the trucking association, the TWU and so on. I will not make it part of the legislation: I trust the minister's word. So, I ask the minister whether she would be prepared to report back 12 months or two years down the track.

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: I do not mind whether it is 12 months or two years; 12 months would be better to give a report—

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: Well, thinking about it, I believe that two years is probably a better time in which to evaluate it because 12 months might be too short a period. If it does present as a real problem, then I would ask the minister—and she can think about this before the results of the survey—whether there is some way that a small owner-operator who finds himself caught in the position where his truck has to be taken off the road, perhaps through no fault of his own, can put in an appeal mechanism, not dissimilar to what occurs when one accumulates 12 demerit points—if you lose your licence and you could lose your job, you are allowed one final warning. It seems to me that it would be a real tragedy if some owner-operators end up going bankrupt as a result of their losing the use of their vehicle for three months—and it would take only three months for an owner-operator to be in trouble. I ask the minister to look at that matter. SA First supports the second reading.

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I thank members for their contribution. This bill has been widely debated in this place with contributions from the Hons Carolyn Pickles, Sandra Kanck, Angus Redford and Terry Cameron. The issue of the impact on the single owner-operator was raised by all members, and I think it is important to recognise that perhaps the largest sector of single owner-operators is the South Australian Farmers Federation. Mr Richard Way, Chairperson of the Community Services Committee of the Farmers Federation, wrote to me on 19 October and his letter states:

We commend the initiative to make the registered owners of heavy vehicles responsible for repeated speeding incidents. This will mean that the burden of responsibility will not solely fall on the shoulders of the driver, who at [all] times is pressured to speed to meet tight deadlines, but will also include owners and operators in the chain of responsibility. Hopefully, this will see that speeding infringements are reduced, making our roads safer.

All other sectors of the transport industry, such as truck operators, the TWU, the South Australian Road Transport Association, livestock transporters, country carriers and the Road Transport Forum, have been unanimous in their support of this legislation. All those representative bodies are important to the industry. They represent everyone from small operators to the large companies and they are all seeking, in terms of their business, to perform well and to perform competitively, but to do so with the confidence of the community.

This is a very big issue because they know that, if community confidence in trucking is undermined, harsher penalties will be applied and there will be more motions such as the one that Prospect council passed relating to its by-law in terms of the bill we recently debated. Collectively, these associations and the majority of the operators are keen to see that they are regarded Australia wide as a responsible employer and industry group. They do not want to be associated with the ratbags, the roppers and the cowboys in the industry—and just 15 years ago this industry was coloured by and judged generally by the roppers or the cowboys rather than the responsible operators.

Certainly, I can say to the Hon. Angus Redford and the Hon. Terry Cameron that I will report back on this matter. I am happy to do so within 12 months or two years. I did say to the Hon. Angus Redford in earlier discussion on these bills that the government would consider amendments that required 12 months feedback to this place, but I am quite happy to do that in any event, because I believe that community confidence, improved standards, occupational health and safety issues, driver issues and TWU concerns are very important. I will be keeping in touch with all those bodies to make sure that we monitor this legislation for the industry's best interests—

The Hon. T.G. Cameron interjecting:

The Hon. DIANA LAIDLAW: Yes, the RAA has supported this legislation, but then the RAA was well informed on this matter. I admit that in this bill we have accommodated some of the RAA's concerns that were expressed in terms of defences, and I will mention that in a moment.

As an aside, I say to the Hon. Terry Cameron that he is so right about lawyers loving loopholes in the Motor Vehicles Act and in the Road Traffic Act. I feel sometimes that we keep some lawyers in business simply because they look for loopholes. While I used to find that extraordinarily distressing, I now accept it almost as a part of life. It has not made me less diligent in bringing in the legislation; it is just that I know that, whatever we do, some lawyers work overtime to see how they can get around what is in the community interest.

The Hon. Carolyn Pickles asked my office some questions. She said that she was pleased with the replies, and she has asked me to read the questions and the replies into *Hansard*. The first question is as follows:

What happens to a business who, for example, has 30 trucks, 25 of which have broken the law and are facing the prospect of suspension of their vehicles? Presumably the business cannot do anything about that situation and in a worst case scenario faces the

possibility of reduced business because less trucks are on the road. Is this the case?

The Hon. T.G. Cameron interjecting:

The Hon. DIANA LAIDLAW: Yes, certainly a new personnel manager! The response is definitely an unqualified 'yes', and is as follows:

The rationale is that the type of business which allows its drivers to repeatedly exceed the speed limit is creating a dangerous situation on the roads and is gaining an unfair competitive advantage over businesses which comply with the speed limit. The aim of the bill is to make registered owners more responsible for the operation of their vehicles. For a vehicle to reach this stage of suspension, that vehicle will already have two relevant speeding offences registered against it in the previous three years. The first offence triggers a warning letter outlining the consequences of further offences. The second triggers a notice requiring the registered owner to provide evidence that the speed governor is operating effectively. The reasons for these intermediate penalties is to give the registered owner warning that the driver is speeding and to give the owner time to put in place procedures that will stop the driver speeding. These procedures may be to allow sufficient time for the journey, to require the driver, as a condition of employment, to notify an operator of any speeding infringement and to ensure the speed governor is working correctly and has not been tampered with.

The second question concerns owner operators, and is as follows:

Presumably this category will be hit twice. The first time as the driver with a speeding offence and the second time as the business owner.

My response is:

Yes. The driver offences for speeding will be unchanged by the bill. The registered owner offence only applies when the vehicle is driven at 15 kilometres per hour or more over the speed limit applying to the vehicle. Most heavy vehicles over 12 tonnes manufactured after 1991 are fitted with a speed governor in compliance with the Australian Design Rules. If the speed governor is operating properly the vehicle should not be able to exceed the speed at which the governor is set by 15 kilometres an hour, except perhaps when going down a hill—

and I hope that was the circumstance in which the vehicle that the Hon. Terry Cameron mentioned earlier passed him at a great speed—

when the driver should be able to apply the brakes. If the vehicle is not fitted with a speed governor, the registered owner could have one fitted to assist with speed control.

Question three concerns government vehicles and states:

Presumably government vehicles and buses are subject to this legislation.

The response is 'yes'. Question four reads as follows:

Why three years, why not six months, and when does the business get a 'clean slate'?

This relates to the rolling three year period. My response is:

Three months comes from the National Road Transport Commission Policy. Australian transport ministers approved the sanctions and the rolling three year period for the accumulation of points in November 1997. A vehicle will get a 'clean slate' either when the vehicle is transferred to another registered owner who is not associated with the first registered owner or when three years has passed since the last offence. This is similar to a demerit point system and is perhaps the reason three years was chosen. Six months would be too short a time to accumulate enough offences to lead to a suspension. Without suspension as a sanction it is not considered that the scheme would be effective.

Question five relates to demerit points and is as follows:

I gather drivers are subject to normal speeding laws and would attract demerit points if applicable. (The business owner would not attract demerit points?)

My response is as follows:

Demerit points are only attributable to natural persons as only people have or may seek to obtain a driver's licence. The existing

penalties for speeding offences include fines or expiation fees and demerit points where the person expiates or is convicted of an offence.

The Local Government Association was also mentioned by the Hon. Carolyn Pickles and the Hon. Angus Redford. The association suggested exemptions for council vehicles providing council and emergency services. As I said a moment ago, this legislation applies to government vehicles—to TransAdelaide buses, the CFS, the MFS, ambulances and the like.

The government does not seek to exempt itself in terms of its heavy vehicles and offending behaviour, and we do not believe in this instance that council vehicles should be exempt either when being used for community or emergency services purposes. The argument presented by the Local Government Association is that, if a public sector vehicle is suspended, a publicly funded asset is removed from public service. It is also argued that the factors which may motivate private companies to push drivers to speed—namely, the need to get business and make profit—will not be present in state or local government operations.

I do not support that comment. The fact is that most of our government operations today are subject to competitive tendering: they must compete as a private sector company, and they must look at not only their community service but also the efficiency of their operations. I think the same applies for many councils today, that they compete for their work and that they do not operate simply as a community service but as a business enterprise.

I support the argument that it is undesirable to treat operators in the two sectors—public and private—differently and that both should be required to take responsibility for the behaviour of their drivers and put in place systems that prevent speeding, and that they should do so not only for the sake of their own company or enterprise but also for the best interests of the wider community.

I indicate to the Local Government Association that I am prepared to look at the issue between now and the time the bill is debated in the House of Assembly to see whether the requirement to fit a speed limiter to an emergency vehicle may be an issue, and I will have further advice on that when this bill is before the House of Assembly. An issue has been raised with me as late as today about the three year period. I have addressed that in my response, and it was essentially the point that the Hon. Sandra Kanck raised.

A further issue raised with me today by a heavy vehicle operator is: when a vehicle has been suspended, can it be immediately sold? I am seeking some advice from the registrar about that. I have some misgivings about that approach. I do not want to make it difficult for small operators; what I want to see is that smaller operators do not, by various pressures, try to remain in business simply by breaking the law and putting themselves and others at risk, which is the practice of some.

I would like to say, in terms of the comments in this place about big business, that I can only applaud the example that many have set across Australia, and they have done so at enormous cost to that company, because they realised the tensions in the community. They realised what the police, the coroners, the politicians and the community had been saying about heavy vehicles and trucking in particular getting their act into gear. I do not want to get into debate about John Laws and the Road Transport Forum hiring him to do their public relations, but I think that issue—

The Hon. L.H. Davis interjecting:

The Hon. DIANA LAIDLAW: That's right. But what I believe strongly is that that initiative or action by the Road Transport Forum is indicative of the concerns that it is feeling and the response it is getting from the general community about the need for heavy vehicles to perform in the public interest and not only in their own interests, and that the undercutting, the cutting of practices, the breaking of the law is just not an acceptable practice for an industry which has come of age. I think a better approach than the Road Transport Forum paying John Laws is the approach as set out in this bill.

Bill read a second time.

In committee.

Clause 1.

The Hon. A.J. REDFORD: I want to make a couple of comments and ask the minister a couple of questions on this. I note that recently some regulations were promulgated and described as the road traffic driving hours regulations 1999, in which a number of initiatives are adopted, including the establishment of a transitional fatigue management system. My understanding is that, to change rosters around so that there is a requirement for the resting of drivers to occur once in seven days, flexibility can be made available to require two days rest in 14, if one participates in this transitional fatigue management system. One would suspect that most operators will endeavour to fall within that system simply because of the flexibility it will give them in terms of providing the service.

Regulation 39 in fact imposes a general liability on an employer to ensure that drivers comply with the transitional fatigue management system and, in the event that they do not fulfil their obligations pursuant to that regulation, they are liable to a penalty, being a maximum of \$1 250 for a first offence and \$2 500 for a second offence. Indeed, if one looks at those regulations, regulation 90 goes on and provides that the registration of a person as a driver or as an employer participant in this transitional fatigue management system may be cancelled where there has been a contravention of the act or regulations or a corresponding law.

I would be interested to hear the Minister's comments as to why we need this specific legislation, if one looks at where these regulations are headed or, in other words, why do we need both sets of regulatory regimes essentially dealing with similar conduct? I apologise to the Minister for not having done her the courtesy of giving her advance notice of my intention to raise this at this juncture. I appreciate the minister is here without any advisers and I will accept that, in responding to this, the minister may want to indicate that she will provide me with an answer later on.

The Hon. DIANA LAIDLAW: I accept the apology, but it was not necessary to express it, because it was my pressure, in a sense, that has pushed some of these issues across Australia. In terms of the driver fatigue management, Truck Safe and Driver Safe issues I have encouraged livestock transporters, SARTA and the like, and supported those associations strongly in raising from the grassroots up the matter of the industry taking control of self-management. However, what is important to recognise is that the driver fatigue legislation, the Truck Safe and Driver Safe schemes, all have a carrot in them, but you need to make sure that the carrot is balanced by the stick, and what we have collectively done in this matter is say that the operator is liable in terms of the fatigue management issues and driver training, and including work in loading the vehicle plus driver within the definition of driving hours.

But the driving hours legislation did not specifically provide for penalties for speeding and it was only afterwards, in raising this question and talking generally with the industry, that I realised that what we were doing was encouraging best practice but not also coming down with a big stick on some that were undermining best practice. That is why this second piece of legislation follows on from the commercial driving hours legislation and the regulations to which the honourable member refers. The driving hours legislation also includes responsibility by the operator, and that is a first in Australia, rather than keeping the pressure on the driver, but it did not specifically deal with this issue of the speeding limit and defining that as a defence. I see it as complementary to the earlier legislation, not at odds or unnecessary because of earlier legislation.

The Hon. A.J. REDFORD: I thank the minister for her answer. I think I should go on the record as saying that I am concerned that a driver or an owner will be doubly penalised for the same conduct. It is something I am very uncomfortable with, but I recognise the numbers in this place. I know it is an old tradition in the English justice system that has served us for many hundreds of years, but if we are departing from that, with the concurrence of all major parties in this place, then so be it. I am very uncomfortable about it.

The Hon. DIANA LAIDLAW: To put the honourable member's mind at rest—although we have discussed this in the past and to date I have not been successful in putting his mind to rest, but I will make the point again—I indicate that what is important to recognise from these two pieces of legislation is that the driver alone is not the focus of enforcement. The operator is asked to be responsible and it is recognised for the first time in this parliament, and also across Australia, that the operator should not escape responsibilities for the pressures that it can place on a driver.

That is a very important new initiative. With the employer taking the initiative, taking on the expense of becoming accredited, developing health and other important good management practices, we must make sure that, in terms of enforcement, we encourage good behaviour and that we come down strongly on bad behaviour, and that should encourage more operators to become involved in the fatigue management, driver safe and TruckSafe schemes.

I have said to the honourable member in the past, I said it earlier today and I repeat that I will be closely monitoring this legislation and I seek his help in that, because we do not want to disadvantage anybody. We want to clean up the industry as much as we can and in the community's interest, otherwise there will be a community backlash in the trucking industry. We are seeing it already and these pieces of legislation are important to the industry in terms of ensuring that the community can have confidence in it and can support it, and so we can weather what I see as a campaign being waged against the industry because of the bad practices of a few.

Clause passed.

Remaining clauses (2 to 5) and title passed.

Bill read a third time and passed.

ADDRESS IN REPLY

Adjourned debate on motion for adoption (resumed on motion).

(Continued from page 189.)

The Hon. P. HOLLOWAY: I welcome the opportunity to speak in response to the Governor's address opening this

session of parliament. I firstly congratulate the Governor and Lady Neal on the performance of their duties over the past 12 months and, indeed, over the term of their office. In addition to the traditional duties that are associated with the role of Governor, Sir Eric has added a significant new contribution over his term of office. He has employed his considerable knowledge of business and his contacts within the business community to advance this state's economic growth, and we should be grateful to him for that.

The Governor's address to parliament on 28 September outlined the Olsen government's legislative program, or perhaps I should say lack of program, for the next year. It is incredible that, after six years in office, this government is looking very tired and jaded indeed, and the legislative program that has been outlined demonstrates that.

The Hon. L.H. Davis: How would you describe the Labor Party at the moment?

The Hon. P. HOLLOWAY: Completely reinvigorated, would be my answer to the Hon. Legh Davis. The most notable feature of the address is the change in rhetoric from last year, and I do not believe that that is because the Premier's speech writer, who writes the Governor's address, has changed. Rather I think it is due to the recent Victorian election because, following that unexpected result, the collapse in Liberal support in regional areas in Victoria and the fall from grace of the man who was so admired by the Premier, Jeff Kennett, this government is now saying, to quote the Governor's address:

... it is imperative that quality of life receives the same level of priority as economic growth and debt reduction.

That statement contrasts with the address given 12 months ago. It is quite different and I believe that it is a response to the election result in Victoria, and I will say more about regional issues in a moment. I believe that the South Australian public will attribute the Olsen government with as much sincerity in the change of heart that it has proclaimed through this speech as the voters of Frankston East attributed to Jeff Kennett's professed reincarnation after the initial election result.

Early on in the Governor's speech, which is written by the Premier's office, this sentence appears:

As we enter a new millennium it is important to reflect upon the history and development of South Australia as we move forward into a new century.

That is a tautology that is probably worthy of inclusion in a school grammar text, but I want to comment on the reference to the new century and the millennium. The Olsen government has decided that the new millennium does not begin on 1 January 2001, as those purists who understand these things have told us, and it appears that the Olsen government's need for rhetoric means that we should begin the new millennium and the new century 12 months earlier. I wonder how the Premier's speech writers will treat the occasion next year as we approach what is the true end of the twentieth century and the second millennium? We will have to wait and see.

I refer now to the state's economic performance, because that matter was also addressed early in the Governor's speech. It states:

Over the last year South Australia has had the second highest level of growth of all the states and territories.

I raised this matter with the Treasurer in question time last week and I am still waiting for a response to that question. I point out that the economic statistics from the Australian Bureau of Statistics as they apply to South Australia show

that the situation is anything other than rosy. The ABS stats for the national accounts are based on state final demand. Now that state GSP figures are no longer collected, we have to use state final demand, as they are the only source of statistics available. In the year from June 1998 to June 1999 state final demand in South Australia was minus 0.2 per cent. The only figure that was lower than that on the mainland, apart from the Northern Territory, was for Western Australia, where it was minus 0.5 per cent. According to those statistics, there has been a decline in growth and we were the second worst state, not the second best.

Even more alarming are the figures that were put out by the ABS for the June quarter of 1999 in relation to private new capital expenditure. The percentage change from the June quarter 1998 to the June quarter 1999 shows that there has been a fall of 33½ per cent in private new capital expenditure in that time. When I raised this matter with the Treasurer last week, he attributed it to the completion of the Roxby Downs project. However, the ABS statistics show that, for South Australia, expenditure decreased by \$41 million or by 7.5 per cent in the last quarter. Expenditure on buildings fell by 14.5 per cent and equipment by 5.6 per cent. Unfortunately, South Australia has experienced the second highest fall in private investment—second only to Western Australia, where the mining industry also had a large impact. Apart from that, this decline in private new capital expenditure crosses a number of areas of our economy, and that is somewhat disturbing.

In the past few months we have seen that the South Australian economy has been sustained by household expenditure alone. The boom in building that has taken place, with people trying to do their modifications or build their new houses before the introduction of the GST, has had some impact upon that. Of course, we might all be concerned about what the situation will be after 1 July next year. Over recent months, I know that the government has used the statistics regarding the supposed boom in housing as an indication of increasing confidence in and growth of the economy.

I would like to point out to the Council the statistics on housing starts over the past few years. I refer to ABS statistics—South Australian economic indicators. The figures for all new dwelling units are as follows: in 1992-93, 11 646 units, involving expenditure of \$816.2 million; in 1993-94 11 501 units; the figure then fell in 1994-96 to 9 796 units; in 1995-96, 5 960 units; in 1996-97, 5 789 units; and in 1997-98 6 653 units. We do not have the figures for 1998-99, but we can presume that an upward trend has continued from the low point in 1996-97. However, the point is that those new dwellings starts in 1996-97 was when we hit a low point—they were half what they had been in the early 1990s. Even if the recent figures indicate that there has been an increase in building activity, we have to bear in mind two factors: on the one hand, there are people who want to get in early to beat the introduction of the GST, which will, of course, add 10 per cent to the cost of new dwellings; but, on the other hand, they are coming from a very low base, so any increase should be seen with that in mind. I do not believe that we can take—

An honourable member interjecting:

The Hon. P. HOLLOWAY: Of course, any increase is better than none. I am just saying that we should not take too much comfort from the figures as an indicator of the state of our economy. One of the other notable features about the Governor's address is the complete lack of any mention of health, which every indicator suggests is the most pressing

and urgent issue for the electorate of South Australia. I did find it rather staggering that, in a speech outlining the government's legislative and administrative programs for the next 12 months, there was absolutely no mention of health matters. However, the Governor's address did deal with asset sales.

In the process now before us for the lease of the ETSA assets, there will be a trade off between the sale price we receive, which is available for the reduction of debt, and future electricity prices. My fear is—and I think this is the fear of many of the larger consumers of electricity in this state—that this government has so structured its electricity industry to receive the highest possible price for the asset, but at the expense of locking in high prices for electricity. The government's policy on interconnectors and the Pelican Point contract, and so on, points in that direction.

The point is that, if the purchaser of our electricity assets is able to get an extra \$100 million a year income as a result of the way the industry is structured, the contracts that are available and the likely outcomes on prices, they will pay a premium for that in terms of the price that we receive. That \$100 million per annum might equate to an extra \$1 billion in the price of the assets. The point is that, if we do get that extra price for the assets, as welcome as that might be in terms of reducing our debt by that amount, we have to consider the impact of higher electricity prices on economic growth and the provision of jobs within our economy. I wish to make the point that there is a trade off here—that it is not just getting a high price that should be the criteria, because we must also ensure that the industry is as competitive as possible to keep down prices to enable us, first, to compete with other States and, secondly, to ensure maximum job growth here. So there is that trade off.

The same thing applies in relation to the Ports Corporation sale which is under consideration by this government. This government has decided, for reasons that I find hard to fathom, to sell the ports of this state as a whole. That involves 11 ports, the main one of which is the port of Adelaide. It also includes a number of grain ports—Walleroo, Thevenard, Port Lincoln, Port Giles, Port Adelaide and Port Pirie; and three ports connected with the Kangaroo Island trade at Kingscote, Penneshaw and Cape Jervis; and also a port at Klein Point, which services Adelaide Brighton Cement.

It is interesting to note that, in Victoria, when Jeff Kennett sold his ports, he did so separately. However, here the government has decided to sell its ports as a group. Presumably, the motive is to try to maximise the overall price. The fear of many customers is that the consequence of that might be that the state's long-term growth prospects will suffer. The problem we have is that each type of port is different. We are debating not so much the privatisation here but the government's decision to sell our ports as a package. There are different situations at each type of port. As an example, the Kangaroo Island council wrote to us recently, and it is worth putting some of its letter on the record. I assume all members of parliament have received this letter, which states:

Dear sir,

The Kangaroo Island council seeks your support, as a member of the South Australian Parliament, in its efforts to have the ports of Penneshaw, Cape Jervis and Kingscote withdrawn from the sale of SA Ports Corporation and be managed in the future by Transport SA.

The Cape Jervis and Penneshaw Ports serve as the only terminals for all vehicular traffic and freight to and from Kangaroo Island and are, therefore, vital in the security of our economic future. Under the present ownership of SA Ports Corporation, all movements through

the ports are subject to the imposition of a user charge. This equates to approximately 10 per cent of the sea transport cost.

It is the view of the Kangaroo Island community that the sale of these ports to private enterprise will only see the charges increase and the future efficiency of the ports compromised for commercial return.

Our community also believes that it is being treated unfairly when it is being required to pay what could only be described as a charge to use state owned facilities to access the rest of Australia. We liken use of these ports to the broader community's use of bridges and ferries over other state waterways for which no financial cost is imposed upon the user.

The Kingscote port no longer operates as a commercial freight port; however, it acts as a service point for the local fishery and a berthing facility for visiting yachts. As facilities for these activities throughout the state are managed by Transport SA, we see as only natural that the same arrangements prevail at Kingscote.

The Kangaroo Island community has strongly demonstrated its support for this point of view with a standing room only public meeting held recently in Kingscote and a broadly based petition to be tabled in the parliament by our local member, the Hon. Dean Brown, shortly.

We urge your support to our endeavours to have the ports of Penneshaw, Cape Jervis and Kingscote withdrawn from the proposed sale of SA Ports Corporation, and the state government determine that their future management be undertaken by Transport SA.

That letter clearly indicates that there are special issues in relation to ports that relate to Kangaroo Island. Clearly, the ports of Cape Jervis and Penneshaw provide the only effective vehicular access to Kangaroo Island and, therefore, there is a strong monopoly component to the ownership of those ports. We have covered Kangaroo Island, which I think is a special case, but there are also the grain ports. Within those grain ports—Walleroo, Thevenard, Port Lincoln, Port Giles, the terminal at Port Adelaide and Port Pirie—infrastructure used in loading the grain is already owned by the SACBH (the bulk handling authority). That really is the sole use for most of those ports. Perhaps one could make an exception for Port Pirie, where the Pasmenco smelter resides, and there are also some fishing jetties, but far and away the major economic activity at those grain ports is, of course, the transport of grain.

The other type of port is the port of Adelaide, our main container terminal, for which there are many users. But I wish to make some comments in relation to the grain ports, because they are of some interest to me as shadow Minister for Primary Industry. At the moment a great number of changes are taking place within the grain industry. We have had the privatisation and corporatisation of a number of statutory marketing authorities, such as the Wheat Board, the Barley Board and, soon, the SACBH. Also, a number of strategic alliances are taking place between various partners within the industry as they all struggle to come to terms with the new competitive environment occurring in grain marketing, and I referred to many of these in my speech on the Barley Marketing Board back in May.

One of the factors in this is the cost of our ports, and that is a key cost in the competitiveness of the South Australian industry. The SACBH recently released figures that show that the cost of shipping a tonne of grain through our ports in South Australia is \$1.50. If you compare that with wharfage rates in some of the other ports around the country, we see that in Western Australia there is a range of charges because there are separate port authorities. In Esperance it is \$1.10; in Albany, \$1; in Fremantle, 57¢; and in Geraldton, 80¢. In Victoria it is 57¢ in Portland and 22¢ in Geelong. The fact is that here there are very high wharfage costs, which suggest a monopoly element within that pricing.

There is obviously great concern in the grain industry that, if those ports are sold as a whole, to retain the maximum cost of those ports some private bidder will seek (at the very best) to maintain that high cost component that appears to be already built into those wharfage charges.

The Hon. L.H. Davis: What is the interstate experience, Paul?

The Hon. P. HOLLOWAY: I just gave you the costs.

The Hon. L.H. Davis: What would the interstate experience be after privatisation? Have the port costs come down or gone up?

The Hon. P. HOLLOWAY: The point I made earlier to the Hon. Legh Davis is that when Jeff Kennett privatised his ports he sold them separately, not as a whole. But there is a special case here in South Australia, because we do have a large number of ports. The point I want to make is that there is considerable concern within the grain industry at the moment that they will be in a very difficult position should all the ports be sold to the highest bidder. The monopoly rent that appears to apply in those figures will be retained and could adversely affect the future of the grain industry here.

That is a matter that the government, for its own survival, will need to address very carefully in the future. We have the same problem here that I alluded to earlier with ETSA: that you can structure the package in such a way as to get the highest price, but we do have to consider the long-term maximum benefits in terms of economic growths, and there will be a trade off between the two. Getting the highest dollar price will not necessarily mean that we get the best long-term benefits. What the government does in relation to the sale of PortsCorp is something that we await with some interest.

I now wish to make some comments on the recently released Productivity Commission report on National Competition Policy. I commented on this matter back in May, during the debate on the Barley Marketing Bill but, since that time, the final report has been released, and it is worth reading out the last three key messages from this report, which was entitled National Competition Policy and the Impact on Regional Areas. First, the report notes:

While there are costs associated with implementing NCP, it will bring net benefits to the nation and to rural and regional Australia as a whole over the medium term. That said, the early effects have favoured metropolitan areas more than rural and regional areas.

The second point reads:

There is likely to be more variation in the incidence of benefits and costs of NCP among country regions than in metropolitan areas.

And the final point is:

Where adjustment pressures develop rapidly and are regionally concentrated, governments may need to consider whether, in addition to generally available assistance measures, specific forms of adjustment assistance are warranted for some people in adversely affected regions.

I pointed out in my speech back in May that it was the people of Victoria, South Australia and southern New South Wales who were the hardest hit by competition policy, while some areas of Queensland and Western Australia benefited. I pointed out at that time that, of the 57 areas studied throughout Australia, the only one that had not benefited was the South-East Victorian area of Gippsland. Ironically, as I pointed out then, that was largely due to the dairy restructuring under National Competition Policy, for which Victoria has pushed so strongly. It will be interesting to see what happens following the Bracks government's coming to power in Victoria, with its promise of having a ballot of dairy

farmers, as to what the dairy farmers of Victoria decide to do in relation to that issue.

It is interesting that it is this south-eastern corner of Australia which, according to those statistics, will benefit least from National Competition Policy. Given that comment that I read out from the Productivity Commission, that governments may have to consider special measures, I believe (as I indicated back in May) that this government should be jumping up and down more for special assistance to this state. In relation to that, I would like to put on record some statistics for employment in South Australia. I asked the Parliamentary Library to look at the employment growth within this state, first in the state as a whole and then in metropolitan and non-metropolitan areas of Adelaide, and we have some very interesting figures.

If we look at August 1993 to August 1999, the last month for which statistics are available, the total number of employed in the Adelaide metropolitan area has grown by 6 per cent, that is, by 29 377. The component of that jobs growth is 12 464 full-time jobs and 16 914 part-time jobs. But what has happened outside the metropolitan area in the rest of the state? The answer is that over that six years there has been a total employment growth of 151 persons. Perhaps even more telling are the components of that growth. There has actually been a fall in the number of people employed full time in the rest of South Australia (outside the city) of 8 472 full-time jobs.

That has been off-set in a growth of part-time jobs of 8 624. This apparent nominal growth of 151 jobs in areas outside Adelaide has been comprised entirely of part-time jobs displacing full-time jobs. Is it any wonder that there should be concern in the regional areas of this state about what has been happening with the economic changes over the past five years or so. Clearly, this government will have to do a lot more than it has done to date to satisfy those concerns.

I point out that, just before the 1993 election, this government promised that, over a 10 year period, it would create 200 000 jobs. After almost six years, the result so far is the creation of just under 30 000 jobs. This government has a very long way to go to meet its target. Clearly, it will not meet its target in 10 years. Those statistics, demonstrating what has happened in Adelaide compared with what has happened in the balance of the state, indicate very starkly why there is currently such concern in the regional and rural areas of this state, and this government must address that concern and address it very quickly.

The final matter I wish to address on this occasion relates to the changes, under the Ralph report, to business tax reform which are now being mooted by the commonwealth government. As someone who worked for some years for a federal member of parliament and who was greatly interested in the question of tax reform, I find it rather regrettable that this government should be talking about changes to capital gains tax in the form that it has. Let me say that I believe that many of the changes in relation to business taxation recommended in the Ralph report are very positive. However, I believe that the change in relation to capital gains tax is something we should regret, particularly given that there is doubt as to whether this federal government's proposed tax package is revenue neutral.

I would like to put on the record some comments made last month by a former Commissioner of Taxation, Trevor Boucher, who described halving the capital gains tax as 'fiscal vandalism'. Mr Boucher predicted that that will entice tax avoiders 'like bees to a honey pot'. I can only agree with

Mr Boucher on that point. Mr Boucher, in this article to which I refer, states:

It is unfair for the Howard government to give the better-off a tax cut on capital gains when battlers have to pay full tax on their wages. . .

Of course, capital gains tax was introduced 15 years ago to address some of the many problems we had in the taxation system at the time. Mr Boucher further states:

The government had given higher priority to tax concessions for its own supporters than closing loopholes in areas like fringe benefits tax and employers who set up phoney contract arrangements with their employees to avoid tax. For my part, a dollar is a dollar is a dollar. . . and people who earn their money get taxed in full on it—they haven't been having indexation. But a clever dollar that appears as a capital gain is now to be tax- preferred.

In the same article, Mr Boucher also states:

It would have been interesting if last week's measures had been brought forward at the same time as the GST to see how the rhetoric could have squared up.

Mr Boucher was there referring to the government's claims in relation to the GST, as proposed by the government, that they were in the name of simplicity: one rule across the board. Simplicity was the argument but, in relation to this measure, we have had quite different rhetoric from the government. I also note in relation to these new capital gains tax proposals that former Senator Peter Walsh, a person whose economic credentials I have always admired, was also very outspoken about this particular tax change, and appropriately so.

Mr Walsh pointed out that, underpinning most of the tax evasion scandals of the 1970s and early 1980s, was the conversion of what would otherwise have been taxable income to untaxable capital gain. That was the basis of the whole haemorrhage of the taxation system which we saw at the time, such as the 'bottom of the harbour' schemes and many other nefarious tax avoidance schemes which threatened the survival of the taxation system in this country at that time. I would like to quote parts of an article that Peter Walsh wrote for the *Adelaide Review*, because I believe he very elegantly captures the problem we face. Mr Walsh, in referring to many of those tax avoidance and evasion schemes that existed around that period, states:

This organised cheating was mostly confined to private, smallish and often family companies. No big public companies were involved—they may or may not have been too ethical to do so, but also knew they would not get away with it. This organised diversion of public revenue was, of course, encouraged by a sequence of bizarre tax judgements from the Barwick High Court, but it was the absence of a capital gains tax which provided the monetary incentive. The government's proposal to halve the CGT rate—and in some cases abolish it—will restore the incentive.

Peter Walsh also states:

It is true that every tax—other than taxes on inherited wealth or economic rent—will adversely affect investment and growth, but the government has a fuzzy grasp of the type of investment which could most effectively deliver employment and growth. Highest priority should go to 'venture capital', the objective of which is to earn income which, by definition, is taxable and paid to shareholders as dividends. If a company's dividends are consistently above normal, a capital gains tax is likely to be generated, but the income dividend comes first. Capital gains tax concessions are at least as likely to attract passive investment in real estate which induces no secondary income/employment growth. When combined with the end of indexation, it is probably even more likely to encourage more short term stock market speculation—already eagerly anticipated by brokers—which ultimately inflicts considerable economic damage.

Ex-Senator Walsh makes a number of other comments about the proposed tax changes in that article. I believe it is

unconscionable that we should be contemplating making changes that could revert to the highly unfair system of taxation which existed in the early 1980s. However bad our system might be now, the last thing we need is to go backwards into that era. I certainly want to put on record my concerns about those proposed changes, even though, as I said earlier, to put it in balance, there are some changes in the Ralph report in relation to company tax rates which, I believe, have much merit and which should be adopted.

With those comments on a range of matters, I again congratulate the Governor on his address to the parliament and I have pleasure in supporting this motion.

The Hon. L.H. DAVIS: I congratulate the Governor, Sir Eric Neal, on his speech at the opening of the parliament last month. All South Australians would agree that Sir Eric and Lady Neal have been outstanding in their enthusiasm and commitment to what can only be described as a relentless itinerary as they crisscross South Australia.

The government is halfway through its term, having been elected in October 1997. It is pleasing to see that the econom-

ic statistics for South Australia unarguably put this state in the strongest position it has been in since the State Bank collapse eight years ago. The employment growth is real; unemployment figures are well down; and regional South Australia is prospering, whether we are talking about the Riverland, the South-East or fishing on the West Coast. The growth in many new industries in regional South Australia together with some initiatives that have given new energy to Adelaide and metropolitan Adelaide, demonstrate that the focus of the Olsen government is starting to reap its rewards. Certainly, some social issues have been contentious and have received publicity in recent times, but the government is addressing those matters.

Today I wish to reflect not on the economy as it now is but, rather, the last century in South Australia, to look at where we have come from and where we are now. I seek leave to have incorporated in *Hansard* without my reading it a purely statistical table which sets out demographic indicators for South Australia for the years 1900, 1950 and 1999.

Leave granted.

	Demography	1900		1950		1999	
		(No.)	(%)	(No.)	(%)	(No.)	(%)
S.A.	Population of South Australia	358 000		712 000		1 491 900	
Aust.	Population of Australia	3 800 000		8 300 000		18 900 000	
	S.A. as percentage of Australia		9.5		8.6		7.9
	Population of Adelaide	163 430		433 500		1 088 349	
	Adelaide as percentage of South Australia		45.7		60.9		72.9
Aust.	Life expectancy at birth—male babies	55		66		76	
Aust.	Life expectancy at birth—female babies	59		77		81	
Aust.	Further life expectancy for a male aged 65 (retirement age)	11 years		12 years		16 years	
Aust.	Further life expectancy for a female aged 60 (retirement age)	16 years		18 years		24 years	
Aust.	Median age for all mothers giving birth in that year	Not available		27		26	
Aust.	Exnuptial birth as percentage of total births	Not available			4		28
Aust.	Deaths of children under 1 year of age (per 1 000 live births)	100		24		5	
		1901 Census		1954 Census		1996 Census	
		(No.)	(%)	(No.)	(%)	(No.)	(%)
S.A.	Proportion of the population born in Australia		85.7		86.1		75.5
S.A.	a. Population aged 0-14 inclusive	129 237		230, 572		294 133	
S.A.	b. Population aged 15-60 (females) or 65 (males)	214 403		476 973		902 257	
S.A.	c. Population aged 60+ (females) or 65+ (males)	18 964		89 549		226 132	
S.A.	d. Total population	362 604		797 094		1 422 522	
S.A.	a. Proportion of the population aged 0-14 inclusive		35.6		28.9		20.7
S.A.	b. Proportion of the population aged 15-60 (females) or 65 (males)		59.1		59.8		63.4
S.A.	c. Proportion of the population aged 60+ (females) or 65+ (males)		5.2		11.2		15.9
S.A.	d. Dependency ratio [(a+c)/b]		40.9		40.2		36.6
	Wages	1900		1950		1999	
S.A.	Weighted average nominal weekly rates of pay for a full week's work by an adult male As above for females	42 shillings (\$4.20) n.a. prior to 1914					
S.A.	Weekly wage rates, adult males, all groups As above for females			200s 6d (\$20.05) 142s 1d (\$14.21)			

	Demography	1900		1950		1999	
		(No.)	(%)	(No.)	(%)	(No.)	(%)
S.A.	Average weekly earnings, full-time adult males, excluding overtime					\$742.20	
	As above for females					\$624.70	
	Employment by Industry	1901 Census		1954 Census		1996 Census	
		(No.)	(%)	(No.)	(%)	(No.)	(%)
S.A.	Agriculture, forestry and fishing	42 211	28.1	47 535	14.9	33 107	5.8
S.A.	Mining	6 301	4.2	2 587	0.8	3 506	0.6
Note that 1901 data include the N.T.	Manufacturing	32 158	21.4	90 704	28.4	88 645	15.5
	Electricity, gas and water supply	1 482	1.0	5 520	1.7	4 630	0.8
	Construction	8 652	5.8	29 005	9.1	29 301	5.1
	(Wholesale Trade) + (Retail Trade)	16 785	11.2	52 887	16.6	112 588	19.7
	Accommodation, cafes and restaurants	2 684	1.8	10 856	3.4	25 050	4.4
	Transport and storage	11 275	7.5	23 523	7.4	21 782	3.8
	Communication services	1 598	1.1	6 941	2.2	10 551	1.9
	(Finance and insurance) + (Property and business services)	2 763	1.8	9 313	2.9	69 184	12.1
	Government administration and defence	1 992	1.3	13 731	4.3	24 994	4.4
	(Education) + (Health and community services) + (Cultural and recreational services)	7 049	4.7	18 641	5.8	123 334	21.6
	Personal and other services	15 297	10.2	7 977	2.5	23 488	4.1
	Total	150 247	100.0	319 220	100.0	570 160	100.0

1996 Census:

Note that Total excludes 5 417 'non-classified economic units' and 16 930 'not stated' replies (actual total was 592 507).

The Hon. L.H. DAVIS: This table is interesting in that it focuses on the population, the dramatic changes in life expectancy and in employment by industry, and wage movements in the past 100 years. The population of South Australia in 1900 was 358 000. It doubled almost exactly in the first 50 years to 712 000 in 1950. It is now almost 1.5 million, having more than doubled again in the past 50 years. As a percentage of the nation's population, South Australia in the past century has reduced from 9.5 per cent to 7.9 per cent. Perhaps not surprisingly, the table shows that the population of Adelaide has steadily increased as a percentage of the population of the whole state from just 45.7 per cent in 1900 to 72.9 per cent in 1999.

It shows that the life expectancy at birth in 1900 for males was just 55 years of age, but it is now 76; for females at birth in 1900 it was just 59 years of age, but it is now 81. That is a dramatic improvement in life expectancy. Deaths of children under one year of age were 100 per 1 000 live births in 1900—in other words, 10 per cent of children died under one year of age. That figure has been slashed to just five in 1 000 as we speak. There has also been a dramatic increase, again not unexpectedly, in the proportion of the population aged 60 or more in the case of females and 65 or more in the

case of males. That figure was just 5.2 per cent in 1900; it has now trebled to 15.9 per cent in 1999.

Perhaps one of the more significant statistics on this table is the change in employment by industry. In 1901, according to the census in that year, people employed in agriculture, forestry and fishing accounted for 28.1 per cent of all employment. That has reduced to just 5.8 per cent. Manufacturing, which was 21.4 per cent in 1901, increased to 28.4 per cent in 1954 in the industrial boom that accompanied the Playford era after the Second World War. It peaked at 28.4 per cent in 1954, but it is now down to just 15.5 per cent.

There has been a halving in the number of people employed in transport and storage from 7.5 per cent to 3.8 per cent; dramatic increases in the number employed in finance, insurance, property and business services from 1.8 per cent to 12.1 per cent; and in education, health and community services, and cultural and recreational services also a marked change from 4.7 per cent in 1901 to 21.6 per cent currently. I would also like to have incorporated in *Hansard* without my reading it another purely statistical table which sets out the population of Adelaide, major cities and towns from 1906 through to the present time.

Leave granted.

Population of Adelaide, Major Cities and Towns, 1906 to Present

	30 December 1906		30 December 1954		6 August 1966	
	(No.)	(%)	(No.)	(%)	(No.)	(%)
Adelaide and suburbs	175 641	45.8	483 508	60.7	978 100	68.5
Port Pirie	10 272	2.7	14 818	1.9	13 633	1.0
Walleroo	3 632	0.9	2 509	0.3	2 516	0.2
Mount Gambier	3 455	0.9	10 891	1.4	22 037	1.5
Whyalla	119 (1911)		8 615	1.1	23 382	1.6
Port Augusta	885 (1911)		6 985	0.9	13 914	1.0
Gawler	1 996 (1901)		5 746	0.7	15 484	1.1

Population of Adelaide, Major Cities and Towns, 1906 to Present

	30 December 1906		30 December 1954		6 August 1966	
	(No.)	(%)	(No.)	(%)	(No.)	(%)
Crafers-Bridgewater	229 (1901)		1 331 (1947)		13 027	0.9
Murray Bridge	502 (1901)		4 774	0.6	12 831	0.9
Port Lincoln	1 280 (1911)		6 104	0.8	11 678	0.8
All of South Australia	383 829	100.0	797 094	100.0	1 427 936	100.0

Sources: Commonwealth Statistician, 1908, Official Year Book of the Commonwealth of Australia, No. 1, McCarron, Bird & Co., Melbourne

The Hon. L.H. DAVIS: This highlights the changing fortunes in country areas. Wallaroo, for example, had a population of 3 600 plus in 1906. That population has fallen by over 1 000 in the past 90 years or so. Whyalla had a population of just 119 in 1911; it soared to 8 600 in 1954; and it was 23 382 in 1996. That figure was somewhat higher in the intervening period, reaching nearly 30 000 at its peak. Port Augusta, similarly, has enjoyed dramatic growth from a population of only 885 in 1911 up to a population of nearly 14 000. Murray Bridge, similarly, with just 502 people in 1901 now has nearly 13 000. Port Lincoln, which is arguably the second busiest port in South Australia, had a population of just 1 280 in 1911; its population is now approaching 12 000. Mount Gambier has a similar story.

In the first decade of the twentieth century, the South Australian government helped settlement in many places, particularly along the Murray River where the Chaffey brothers introduced irrigation. Renmark had been founded in 1887. To the south of the river a railway had been built into mallee country to Pinnaroo in 1906, and the rest of the mallee within the next decade as new land was opened up and soldier settlers were brought into what was more often than not marginal country. To the north of Adelaide, Kadina, Wallaroo and Moonta grew quickly in the early 1900s, with a population peaking at 30 000 for these three towns and surrounding regions, benefiting from the rich copper lodes. But Moonta and Wallaroo mines closed in 1923 as a result of the falling copper prices and agriculture then became the main stay of that region.

On Eyre Peninsula, the narrow gauge railway in the first 25 years of this century opened up what was sometimes marginal country to wheat and sheep. Port Lincoln became a railhead for wheat exports. In that early period, Yorke Peninsula was also opened up. South Australia enjoyed great prosperity out of its agriculture producing, as it does today, about one-third of the nation's barley—arguably the best in the world—and about 11 or 12 per cent of the nation's wheat. The wheat clippers which came to those ports were a colourful sight, and I was privileged in 1948 to see the *Parmier* and the *Passat* come to Yorke Peninsula for their very last trip.

The growth in South Australia's population, of course, has been aided by migrants, many with assisted passages from colonial funds in the nineteenth century. In the period from 1901 to 1940, just 20 600 migrants were assisted to South Australia but, in the period immediately after the war, from 1946 to 1980, 235 078 migrants came to South Australia.

In this century, this was the golden period for population growth in this state. Between 1961 and 1965, South Australia had 59 183 migrants; and between 1966 and 1970, 71 868 migrants. In the decade of the 1960s, we had 131 051 migrants, which represented nearly 15 per cent of total migration into the nation in that period, although we had only about 9 per cent of the nation's population. Those migrants

came to South Australia in response to the Playford initiative of industrialisation, to strengthen what was, to that point, the narrow agrarian base on which the state relied. Between 1976 and 1980, our share of migration into Australia was down to 7.5 per cent; now it is little more than 4 per cent.

In 1901, 22.6 per cent of the nation's population was foreign born; in 1946, that figure had fallen to 9.8 per cent; but, by 1954, with the influx of migrants, that figure had crept up again to 14.3 per cent. As members would be aware, about 43 per cent or 44 per cent of the nation's population today were either born overseas or have one or more parents who were born overseas—a remarkable statistic.

The changing nature of migration is reflected in the fact that, until 1946, of the total migrants who resided in South Australia, 75 per cent came from the United Kingdom; but, by 1980, that figure had fallen to 50 per cent. In 1982, South Australia became the first state to receive Indochinese refugees, who arrived in Whyalla, and this reflected Australia's commitment to taking refugees from countries in South-East Asia.

South Australia's employment just before the First World War was poor, and unemployment levels crept up to 10 per cent. Of course, that was nothing compared with the dreadful double-digit unemployment suffered during the great depression, which lasted from 1928 to 1936. Statistics from those days are not as accurate as they are today, but trade union figures estimate that in 1931 in South Australia unemployment was 32.5 per cent; in 1932, 34 per cent; in 1933, 29.9 per cent; and, in 1934, 25.6 per cent. The census for 1933 put the state's figure at 20.2 per cent unemployment, which was above the national average of 18.9 per cent. In that period, from 1931 to 1934, South Australia had the worst unemployment level of any state in Australia.

The impact of the Depression was reflected in wages. In 1901, the minimum weekly wage rate was £4 2s 0d; in 1929, it had risen to £9 7s 0d; but within three years, by 1932, the wage rate had fallen by 25 per cent, to £7 2s 6d. Admittedly, there was a period of deflation, of falling prices, but we did not see that 1929 wage rate of £9 7s 0d until 1940, over a decade later.

The changing pattern in exports is also very striking over the last century in South Australia. Refrigeration in the 1890s helped the export to Britain of fresh meat and dairy products. In 1900, South Australia had one-third of all the wheat acreage in cultivation in Australia: only Victoria had more. We were recognised as the bread basket of Australia, and the explanation for that was straightforward: we rolled back our frontiers quickly and easily and we did not have mountain ranges to cross, so exploration in South Australia was relatively easy.

In 1900, South Australia had 8 per cent of all the sheep in the nation. That figure was about the same in 1950, and by 1970 it had crept up to about 11 per cent. That was the year

when Australia's sheep population peaked at 180 million. Of course, that figure is dramatically lower.

Looking specifically at exports, it is difficult to make comparisons using statistics from 90 years ago, so I will confine my remarks to the changes that have occurred over the last 35 years. In 1964-65, wool accounted for 30.6 per cent of the total value of exports in South Australia. In 1997-98, that figure had shrunk to just 5.8 per cent—from 30.6 per cent to 5.8 per cent in the last 35 years. Cereals and cereal preparations—and we take into account wheat and barley—accounted for 21 per cent of the total value of exports in 1964-65, and now that figure has halved to just 10.5 per cent. Metals and manufacturers was 13.3 per cent in 1964-65, and has reduced slightly to 11.5 per cent in 1997-98.

In 1964-65, wine accounted for \$3.2 million, or a little more than 1 per cent of total exports. Today it is the largest single export item in South Australia, and in the financial year just ended was just a touch over \$700 million, which represents 14 per cent of total exports. Of the other exports—and unfortunately some of them are assessed as confidential—uranium is very significant, as are gas products out of the Cooper Basin.

Today we are benefiting from that diversity in exports. In 1998-99 exports in South Australia lifted by 6.5 per cent to a record \$5.3 billion compared with a 2 per cent fall for the nation as a whole. Some of the regions are benefiting in particular. In the Riverland, economic growth has been 30 per cent per annum for each of the last four years; the agricultural and fisheries industries, together with the mining sector, have enjoyed enormous growth; seafood export earnings were up to \$252 million in the year just ended; and there are strong gains being made in horticultural and pharmaceutical products.

In manufacturing, as I have mentioned, South Australia's manufacturing employment peaked in the postwar years and, in employment terms, it was arguably in 1974, when 128 000 people were employed in manufacturing, compared with just 41 000 people in 1939 before the postwar industrial push by the Playford government. Some of the initiatives undertaken by the Playford government account for that growth in manufacturing.

In 1937, the South Australian government persuaded BHP to set up a blast furnace in Whyalla rather than shipping iron ore from Whyalla to Newcastle, and in 1958 BHP announced a steel making plant and rolling mill for Whyalla. There were other initiatives such as Uniroyal tyres, Chrysler and, of course, Holden, with the ancillary industries, which contributed to the surge in manufacturing in South Australia in those postwar years.

The story in mining is also a fascinating one. In 1906 radioactive minerals were discovered and mined for medical purposes at Radium Hill, and also for ceramics and coloured glass, and that occurred through until 1934. Large deposits of iron ore were found near Iron Knob in 1911 and, of course, they were used subsequently at Whyalla by BHP. In 1954 Radium Hill was reopened and the uranium mined there was shared between America, Britain and Australia, and in 1955 a uranium treatment plant opened at Port Pirie.

In 1954 SANTOS was formed (an acronym for South Australian Northern Territory Oil Search), against all the conventional wisdom in the geology books that the geology in South Australia was not right for oil and gas, let alone minerals, remembering that South Australia was the only state with no significant gold deposits up until that time. And, of course, it is history now that gas was first discovered in the

Cooper Basin in 1963. Gas was subsequently piped into Adelaide and then to Sydney. Oil was also discovered in the Cooper Basin, bringing a new industry into South Australia with significant benefits also in export earnings. In September 1969 there was the Poseidon boom, with a company called Poseidon, based in Adelaide, finding nickel in Western Australia, and the company shares rose from 90c to \$282 within a few months. That proved to be ephemeral. But what was more lasting was the discovery of Roxby Downs in 1976.

When the Liberal Party came to government in 1979 mines and energy minister Roger Goldsworthy announced that he would support the mining of the vast copper, uranium and gold deposits at Roxby Downs. It is one of the sixth largest copper deposits in the world. It is the largest uranium deposit in the world and, of course, what was once styled as 'a mirage in the desert' by John Bannon, when he was Leader of the Opposition, is now home to 4 000 people. Subsequent to that, there have also been other initiatives in mining, including the possibility of a magnesium project with Pima Mining. Magnesium is very much a metal for the twenty-first century.

Looking at housing, records indicate that in 1911 about 50 per cent of houses in South Australia were owner occupied, which was higher than other countries. But the figure was only 36 per cent in metropolitan areas; 57 per cent in the rest of South Australia. By 1966 this figure peaked at 71 per cent owner occupied. It is a matter of record that in 1936 the Liberal government of the day established the South Australian Housing Trust, which provided public housing for anyone who was interested. In the postwar era, with strong migration and with housing very much in demand, with skilled craftsmen such as the Hon. Trevor Crothers on hand the Housing Trust was very active and in 1950-51 it built nearly half of the houses in South Australia for that year. It built 3 000 of the 6 800 erected.

By 1938 Adelaide homes were more brick than stone. It was fairly typical for the bathwater to be heated in the laundry copper rather than using a chip heater or a pot on the wood stove. Central heating was very uncommon. Washing machines were just coming in, just before World War II, but they still had hand wringers. Ice chests generally were the order of the day. Gas, electric and kerosene refrigerators were just starting to make their appearance. Electric kettles were new. Many houses in the city, and particularly in the country, still had no power. Phones were not common, and sewerage was not always available, although Adelaide had the proud record, I think immediately after the war, as being regarded as the most highly sewered capital city in the world. In 1967 South Australia joined the change going on around Australia by introducing strata title legislation allowing ownership of a unit within a building housing several units.

In politics, in the late nineteenth century and the first three decades of the twentieth century, again I think it is a matter of record that leadership was dominated, both at the political and commercial levels, by a small group of people. But by 1938 when Playford came to power with an agrarian economy still very much in vogue he changed the face of South Australia by increasing manufacturing, metals, building, chemicals, and forming the Electricity Trust in 1946. The transformation in South Australia is revealed by the quite startling figure that, in 1933, 24 per cent of people were engaged in primary industry. By 1961 that figure had fallen to 12 per cent. In 1933 the number of people employed in manufacturing was 17 per cent. That had surged to 27 per cent by 1961.

In September 1959 Sir Thomas Playford broke British Prime Minister Sir Robert Walpole's record as the longest serving Premier of any British Commonwealth country or state: 20 years, 10 months and eight days. It was not until 1965, when Playford lost office, that Labor formed government for the first time since 1933. The Steele Hall government of 1968 to 1970 effected a redistribution, which dramatically changed the face of politics in South Australia forever. Up until that redistribution there were 13 city seats and 26 country seats. One city seat, as I remember, the seat of Enfield, had 43 000 voters and one country seat, Frome, had but 3 000 voters. Premier Hall's brave initiative saw the Liberal Party, not surprisingly, lose office in 1970, when Premier Don Dunstan regained office. In 1971 the voting age was reduced to 18 and shortly after there was a reform of the Legislative Council to the system that we now enjoy today, which is a very democratic, a very fair system. The major parties may argue that it is too fair.

In the arts, South Australia has had a proud record. We boasted C.J. Dennis who was the author of *The Sentimental Bloke*, which in 1916 sold 51 000 copies. It was alleged that most members of the army who were engaged in the First World War were given a pocket-sized edition of *The Sentimental Bloke* and, whether it is apocryphal or real, it is claimed that this book saved more than one soldier from death. In 1927, South Australian painter Hans Heysen set a new Australian record for the value of paintings sold at an exhibition in Sydney. A decade later, his daughter Nora Heysen was the first woman to win the Archibald Prize.

In 1960, South Australia held its first Festival of Arts, which is regarded as one of the great festivals in the world. That was due undoubtedly to the great initiative of Professor John Bishop of the Elder Conservatorium, with the strong backing of Sir Lloyd Dumas of Advertiser Newspapers and the commitment of the Adelaide City Council led by the Lord Mayor of the day, Sir James Irwin. In 1973, the Adelaide Festival Centre was completed. The site was chosen by Premier Steele Hall and it was opened under the premiership of Don Dunstan. During the 1970s we enjoyed stunning success through the film industry. The South Australian Film Corporation had successes such as *Picnic at Hanging Rock*, directed by Peter Weir in 1975 and, in 1976, *Storm Boy*.

In sport, Adelaide played host to that infamous test in 1933, one of the bodyline series, in which batsmen Woodfull, Ponsford and Oldfield were injured by the fast bowling of Harold Larwood. In 1948 Don Bradman, who had lived in South Australia for most of his cricketering life, retired from test cricket. I was privileged to see his final first class match, which was a testimonial game at the Adelaide Oval in 1949. In 1964 Donald Campbell set a world land speed record for a motor vehicle at Lake Eyre in his famous Bluebird. He set a remarkable speed, even now, of 648.6 km/h or 403.1 m.p.h. In Australian rules football, Port and Sturt dominated the 1960s and 1970s. In 1985 we saw the first Grand Prix. In 1991 the Crows entered the AFL and won the flag in 1997 and 1998. Port Power followed the Crows into the AFL in 1997.

We have had celebrations such as the centenary of European settlement in 1936, which was marked by that extraordinary donation of £100 000 by Langdon Bonython to complete Parliament House, a donation which in today's terms is worth about \$14 million or \$15 million. We celebrated the centenary with a Brisbane to Adelaide air race and also the opening of Centennial Hall. In 1986 we had our sesquicentenary, and all South Australians joined in for the

bicentenary of Australia in 1988. South Australia has also had its share of disasters and arguably Ash Wednesday, in 1983, together with earlier bushfires marks one of the lowest points in the state's history. As a disaster, undoubtedly history will also record the mammoth losses suffered by the State Bank and SGIC.

South Australia sent soldiers to war. In the Great War, the First World War, 60 000 Australians died. There was a referendum on conscription during the First World War, and South Australia was one of the three states that voted against conscription. In the Second World War, I have faint memories of the rationing that was introduced, when each week adults were allowed only one pound of sugar, two ounces of tea and half a pound of butter.

During that war, the commonwealth government took the opportunity to introduce the uniform income tax act, which gave the commonwealth government the right to collect income tax for the duration of the war. South Australia, along with three other states, unsuccessfully fought the measure and, as they say, the rest is history and the commonwealth government continues to collect income tax, although the states now have the power to do that also. In the Vietnam War of the 1960s, South Australians were amongst the conscripts who were sent to Vietnam.

It may come as a surprise to some members to learn that gambling has long been with us. Who would believe that, in 1880, there were 100 000 people at the Melbourne Cup of that year, and that in the 1870s newspapers advertised gambling opportunities? In fact, if I can digress and go back to last century, I was fascinated to read that in 1853, which admittedly was a very buoyant year in Victoria with the gold rush, Victorians drank 8.5 gallons of spirits, which if converted to litres by multiplying by 4.54 means a figure of 37 or 38 litres per person. In addition, 12.7 gallons of beer and 3.5 gallons of wine were drunk, and that excluded locally produced beer. For people to say that this was the Victorian age might be a little short of the truth.

In South Australia, the Liberal Party under Playford had been conservative in social issues. With the advent of the Labor government, the trend around Australia was followed with the introduction of lotteries and, in 1967, off course betting with the establishment of the TAB. It is worth noting that in 1993 poker machines were legalised under the Labor government, and they came into operation in 1994.

The Cornish copper miners, who came to South Australia and to Burra, which in 1850 had 5 000 people compared with Adelaide's 18 000 people, dominated many country towns. That is reflected in the break-up of the religious statistics of 1901, which showed that 30 per cent of the population at that census listed themselves as Anglican, 26 per cent Methodist and just 15 per cent Catholic. This was barely half the figure for Catholics in other states. Those figures had not changed much in 1954. Methodists still represented a very large percentage of the population but, when they later joined with the Congregationalists and Presbyterians to form the Uniting Church, that percentage shrunk dramatically and those three churches combined now have about 8 per cent of the church-going population.

That virtuous spirit which was endemic to a convict-free, basically protestant society was perhaps one reason why Adelaide was called the city of churches. It is worth noting also that in 1982 the synod of the Anglican Church in Adelaide vetoed the ordination of women. The past two decades have been notable for the growth in pentecostal and evangelistic churches.

In science, in the early 1940s, the equivalent of the Defence Science Technology Organisation in Salisbury invented what was ultimately bought by Xerox—the first photocopier—and that was let go, because the commonwealth government was not prepared to commit the necessary money to develop the product. In 1945, Adelaide-born Howard Florey became the first Australian to be awarded a Nobel prize for his contribution—penicillin. In 1946, the commonwealth government set up a rocket range at Mount Eba. A year later, it moved south-east to Woomera. This was joint development between Australia and Britain. In 1954, Sir Douglas Mawson, a most remarkable explorer, established the first permanent Australian station in Antarctica. In 1956, we saw the first testing of British atomic weapons at Maralinga. In 1967, Australia launched its first satellite at Woomera, using an American rocket.

With regard to transport, it is appropriate to know that, in 1911, South Australia transferred the administration of the Northern Territory to the commonwealth government on the understanding that the commonwealth would take over the rail link between Port Augusta to Oodnadatta and would complete the Oodnadatta to Port Darwin rail link. That is a matter which is very much a current issue, and hopefully the completion of the Alice Springs to Darwin rail link will fulfil a promise made by the commonwealth government nearly 90 years ago.

In 1901, telegraph cable was being laid from South Australia to the Cape of Good Hope. In 1902, the first interstate trunk phone line was opened between Mount Gambier in South Australia and Nelson in Victoria. Telegrams were very much the way of urgent communication. In 1905, nearly 9 000 telegrams were sent in Australia and, immediately after the Second World War, telegrams were the most important, most efficient form of immediate communication.

The rail link between Alice Springs to Oodnadatta was finally completed in 1929. Much of that line was built on sand, and in 1980 the line was replaced with a line from Tarcoola to Alice Springs. In 1948, the federal government attempted to repair the damage done by the warring colonies during the nineteenth century, when it committed to standardising the rail gauges of New South Wales, Victoria and South Australia. It undertook to begin this task in 1951 and, finally, in 1969 the Port Pirie-Broken Hill standard gauge link was completed. This was the final section of standard gauge line from Sydney through to Perth.

Meanwhile, in Adelaide we pulled up our tram lines, except for the one that went to Glenelg. For the first time motorists had the benefit of being able to travel from Adelaide to Sydney on a sealed highway, with the sealing of the Sturt Highway in New South Wales in 1962. In 1946, you could fly from Adelaide to Sydney by DC3 in five hours. It now takes just one hour and 40 minutes.

An honourable member: It took 12 hours to get to Perth.

The Hon. L.H. DAVIS: Yes. In 1956, television came into Australia for the first time, and we had colour television in 1975. Mr President, I will conclude my remarks later.

[Sitting suspended from 6 to 7.45 p.m.]

The Hon. L.H. DAVIS: Prior to the dinner adjournment we were discussing modes of transportation—

An honourable member: We weren't even listening.

The Hon. L.H. DAVIS: You are most generous. Cars were quite rare before the 1920s. In 1931—

An honourable member interjecting:

The Hon. L.H. DAVIS: I thought I would just wire the Attorney-General up. In 1931, General Motors of America acquired Holden Motor Body Builders of Adelaide. It is well known, of course, that that company went on to produce the first Holden car in Australia in 1948 through what was known as General Motors-Holden's. When Ben Chifley rolled the first Holden car off the line at Fishermen's Bend in 1948, the cost of that Holden was £675 plus £85 to put it on the road—and that was not including the emergency services levy! That amounted to £760, which, interestingly, at the time represented twice the average annual male wage. It is worth noting that, today, with the average wage in the order of about \$38 000 or \$39 000 and a Holden Commodore being \$28 000 to \$29 000, a car in 1999 can be acquired for about 70 per cent of the average annual male wage, whereas 50 years ago it was two years' wages.

Adelaide has a special place in the world media, because it was in 1929 that Keith Murdoch moved interstate for the first time and acquired a significant interest in *News Limited*, the afternoon newspaper in South Australia. That paper continued to be produced but, finally, falling circulation forced its closure in March 1992.

In the meantime, in 1952 Sir Keith Murdoch had died and a young Rupert Murdoch inherited News Limited. This company is now a global company. Ironically, its initial flagship has closed down, but News Corporation Limited is the leading multimedia organisation in the world and one of the top half dozen companies in Australia listed on the stock exchange in terms of market capitalisation. The *Advertiser*, the morning paper, which the Murdoch empire had long coveted, finally fell to that group. The original proprietors of the *Advertiser* had been the Bonython family. As I have already mentioned, in 1936 Sir Langdon Bonython made that remarkably generous donation of £100 000 (worth \$14 million to \$15 million in today's values) that enabled the Legislative Council chamber to be built. And we are thankful for that.

Of course, another contribution that he made was the Bonython Hall, and a prerequisite to his donating the funds for that very fine hall was that it should face down Pulteney Street, which would then make it impossible to drive Pulteney Street through the University of Adelaide campus, which was a proposal at the time. The second point worth noting about the Bonython Hall is that Sir Langdon Bonython, as a passionate Methodist, did not believe in dancing and insisted that the floor slope so that no dancing could take place in the Bonython Hall. No dancing has taken place in the Bonython Hall.

I turn now briefly to laws, because I know that the Attorney-General would be disappointed if I did not make at least some passing reference to laws. I touch briefly on a law that was discussed in Victoria but I believe not in South Australia. I was not aware until recently that in 1938 Victoria had a referendum to decide whether or not it would prohibit liquor. The result was that 368 676 people voted yes and 721 704 voted no, so it was a two to one vote against prohibition. I am not sure how close South Australia ever came to debating that proposition: I do not know whether the Attorney is aware of that.

The Hon. K.T. Griffin: I remember it well!

The Hon. L.H. DAVIS: The Attorney seems to have been here forever—he is in fact the father of the house—so I am not surprised when he says he does remember it well. I point

out to the Attorney that it was pre-war, so he is dating himself. And not the last two wars we have been in, either.

In 1965 Roma Mitchell made history by being appointed the first woman judge in Australia. In 1967 Ronald Ryan became the last person to be hanged in Australia. I can remember that time well: I was en route to Canberra for a political science meeting and my car blew up just outside of Balranald. So, I left my colleagues behind and got a ride into Balranald—it was a hot day—and at the front bar of the hotel endeavoured to find the local motor mechanic, who unfortunately had left early, given that it was a long weekend. However, everyone in the bar was talking about Ronald Ryan—because Ronald Ryan had actually grown up in Balranald—saying how they had played marbles with him, stolen things together and ‘he really was quite a good bloke’. So, 32 years ago the last person ‘swung’ in Australia.

In 1972 the principle of equal pay for equal work was approved by the Full Court of the Arbitration Court. In 1976 South Australia made history by being the first English-speaking state to make rape in marriage a criminal offence. In 1976 nude bathing was permitted for the first time in South Australia at specific beaches. In 1976 South Australia abolished the death penalty. In 1978 there was extraordinary controversy when Premier Don Dunstan dismissed South Australian Police Commissioner Harold Salisbury for withholding information and refusing to release details of the special branch files in the police force. In 1979-80 South Australia abolished death duties.

I guess the most memorable crimes, certainly post Second World War, have been the cases of Rupert Maxwell Stuart upon a charge of murder (and the subsequent Stuart Royal Commission) and the disappearance of the three Beaumont children. Adelaide has developed a reputation, perhaps unfairly, for macabre instances, grizzly and unusual murders. That has been the subject of comment not only in Australia but in other places around the world, although the facts and figures would suggest otherwise.

In Aboriginal affairs, in 1958 a federal conference of nine Aboriginal organisations met in Adelaide and formed the Federal Council for the Advancement of Aborigines. In 1964 they changed their name to include the Torres Strait Islanders, and this was a forerunner to what we now know as ATSIC. In 1967, just 32 years ago, a referendum was held—and it was overwhelmingly carried by a vote of more than 90 per cent, with all states voting strongly in favour—to allow the federal government to have power in Aboriginal affairs, together with the states, and also for the very first time to include Aborigines in a census count.

In 1976 Sir Douglas Nicholls made history by becoming the first Aborigine to be appointed to a vice-regal position when he was made Governor of South Australia. In 1981 the Tonkin government passed Pitjantjatjara lands rights legislation which transferred 100 000 square kilometres of land over to the Pitjantjatjara council.

In the area of health there were the extraordinary early deaths from a range of diseases in the early 1900s, and post Second World War there was the poliomyelitis epidemic. It was not until 1955 that the Salk poliomyelitis vaccine was introduced. In 1961 oral contraceptives went on sale for the first time. In 1969 South Australia became the very first state to reform laws on abortion, made possible by a Young Liberal motion being passed at the state council of the Liberal Party. The Attorney-General of the time, Robin Millhouse, acted on that recommendation, which at that time was, of course, a courageous piece of social legislation.

In 1975, South Australia became the first state to legalise homosexual relations between consenting male adults. In 1976, at a national level, cigarette and cigarette tobacco advertising was banned from television and radio. In talking about cigarette and cigarette tobacco advertising, one must recognise the commendable efforts of the Hon. John Cornwall who, as Minister for Health, was very strong in this area of education about the dangers of cigarette smoking. I must place on the record that he was certainly right and, I suspect, a number of my colleagues might confess that we did not get it right at that time.

The Hon. T.G. Roberts: He was extra strong and you were mild.

The Hon. L.H. DAVIS: He certainly was not filter tipped. In the 1900s, not surprisingly, a strong emphasis was placed on technical education. South Australia was a leader in technical education, particularly through the South Australian Institute of Technology. The School of Mines displayed very strong leadership in that area. It is worth looking at the changing balance between private and public education. In 1900, approximately 15 per cent to 16 per cent of all students were in private schools. In 1951 that figure had increased to 20 per cent, and today it is of the order of 30 per cent. The continued increase and the movement away from public sector education to private education, I think, reflects the growth of evangelical schools offering quite cheap school fees.

Also, if I can add a political comment, notwithstanding the continued determination of the public sector union to dissuade people from the merits of public sector education by continually denigrating public sector education—if one looks objectively at the figures state by state—South Australia stacks up very well in the money spent on public education. The fact that I have yet to see Janet Giles smile says, I think, a lot about the attitude of the public sector union here. I find it disappointing and lamentable. In 1966 Flinders University opened at Bedford Park. Of course, in the 1980s the federal minister, John Dawkins, forced all tertiary institutions to review their options with a view to consolidating into fewer groups at the tertiary level—one of the great tragedies, I believe, in tertiary education, and all states have suffered accordingly.

There were variously one, two and three university models in South Australia. Ultimately, the University of Adelaide remains, understandably, as the first university in South Australia pre-eminent; Flinders University picked up some bits and pieces, including the Sturt College; and the University of South Australia picked up a range of other tertiary institutions, including the Institute of Technology and teachers' colleges.

We have seen a marked change of attitude by the general public towards the importance of the environment. Environment used not to be a mainstream issue: today it is. It is worth noting that in 1902 an interstate commission was established to look at the Murray River with representatives from New South Wales, Victoria and South Australia. That commission reported on irrigation and navigation of the Murray River. The problems of salinity and the allocation of water remain challenges today—greater issues now than ever before. In 1950, the CSIRO released myxomatosis virus in the Murray Mallee after a seven year extensive trial and that, of course, was rated as a success in reducing the rabbit population. More recently, in the past two or three years, the calicivirus was released, not altogether deliberately, one might say, but that, nevertheless, has proved to be effective in controlling rabbits.

Following the dramatic reduction in the rabbit population. It is fascinating to see the regeneration of areas such as the Flinders Ranges in a short space of time.

Farmers who 30 or 40 years ago were happy to use a chainsaw to cut down trees and who were hostile in their attitude towards so-called greenies now recognise the importance of tree planting. In fact, today farmers take the lead in planting trees and ensuring the necessary combat of erosion and salinity. This change of attitude is pleasing. There are challenges still in landcare and the proper in conservation of our soils and water.

In February 1954, Queen Elizabeth II, the newly crowned Queen, and Prince Philip made a visit to Australia—the first visit by a reigning monarch. It was a significant event, and several visits have been made since. It is worth noting how much our attitudes have changed in this particular respect. Of course, the Queen will visit Australia for the first time in eight years next year.

What also has changed dramatically is communication. It is fascinating as we approach the centenary to reflect on the enormous work done by our forefathers, including Charles Kingston, Henry Parkes and Edmund Barton, who were all key players in cobbling together a compromise which has served Australia so well. I refer, of course, to the Australian Constitution, which was passed in 1900 and which allowed for the creation of the Commonwealth of Australia on the first day of January in 1901.

When one remembers that these gentleman travelled to various places (including Adelaide) on several occasions to meet, one reflects on the time taken and the challenge of communication. It was interesting when talking to someone who is knowledgeable on these matters to learn that already telegrams were in vogue and that it was quite common for some of those key players to exchange telegrams two or three times a day in order to maintain the dialogue, develop the arguments and fashion the compromise. That is something that perhaps we tend to forget. However, it took a long time to travel in country areas, particularly where there were no rail links. Rail links between capital cities were well developed. For example, in the year 1900 it took 18 or 19 hours to travel from Adelaide to Melbourne. Until recently that trip still took 12 or 13 hours—not exactly what one could call progress.

In 1999, as we reflect on communication, I was interested to learn that one in five Australian households now has access to the internet (an increase of 57 per cent in one year) and that 39 per cent of Australians now use the telephone to pay bills or transfer funds (an increase of one third in one year). These are dramatic changes which are taking place in society. Any of us can now contact through Hotmail a friend at any address anywhere in the world, instantly, and they can respond to our message, instantly. These are wonderful developments as we come to the end of this century in South Australia.

I look forward with optimism and hope as South Australia moves into the year 2000. With a strong economy, with some focus and direction for the first time (certainly in this decade), and with the funds that will be raised from the leasing of ETSA to reduce the debt mountain that has burdened South Australia economically and psychologically, I think we have every reason to believe that South Australia, with that fascinating history over the past 100 years, can look forward in the 21st century to significant progress and prosperity.

The Hon. T.G. ROBERTS: I rise to thank the Governor for his speech in opening this new session of parliament, and

I pay tribute to the Governor as an active member of the South Australian community and his knowledge and experience from past activities which he brings with him. It is refreshing to see some of the activities in which the Governor involves himself, both officially and unofficially, and I suspect the Governor and his wife are probably two of the most hardworking and travelled representatives that this state has had for some considerable time. Not taking anything away from past Governors, I think that the regional areas of the state, in particular, have seen the Governor either in an official capacity or an unofficial capacity probably more than any other Governor that I can remember. I know he is an assiduous reader of the Address in Reply and that both he and his wife give us a warm welcome when we attend the Address in Reply visit—which I think is on Wednesday of this week.

Even though I am praising the current Governor and his role, responsibilities and functions, I am a republican. I support the move by the referendum towards a republic. I have made my views and position known in this parliament on other occasions when debating other bills. I take the view that it is not only how we see ourselves in relation to having a republic with an Australian as the head representative of Australia, but how other people see our representative being an Australian or, in the case we have now, the Queen of England. I see it as a paradox that the head of another nation can be the titular or legal head, if you like, of another nation and that it not be viewed as strange or peculiar in this day and age.

I think Australia needs to set itself into a position in the next millennium by asserting its independent status on the international stage and showing a vote of confidence in itself that it can produce and take its own direction, its own place on the world stage, with its own representative elected by the system that is now being put forward in the referendum to be held in November. The debate whether the president should be elected by two-thirds of the parliament or by a public election has been divisive, and it has played into the hands of the monarchists by having those divisions aired so publicly and vehemently and having that confused state being debated while people at a grassroots level, if you like, are trying to make a determination of straight 'Yes' or 'No' based on a clear delineation of responsibilities and roles in relation to a President versus a Governor-General. If the 'yes' vote is defeated at the referendum, I suspect that will be the cause. It will be the 'no' votes that are being promoted by the purists in relation to how the head of state is elected that will play into the hands of monarchists. Although the monarchists perhaps will reap the rewards, it will be lamentable that it will be with minority support.

Australia is unique and the monarchists have played that tune. It has been accepted that we are a very good example of a multicultural nation that has developed without conflict and that we are debating the issue of whether or not we become a republic. Unlike many other nations over the years, we are not fighting over this issue and shedding the blood of our citizens in a civil war to decide whether to become a republic or remain a monarchy. We were very lethargic about the lead in. We set aside some \$150 million of public money to move people around the nation, place advertisements and print paraphernalia to educate people to try to win their vote in a democratic way. Of course, this confused the public because, while each group insisted that they were educating the public, they were simply trying to win their support.

Many of the contributions that I have seen from both sides have been dishonest in representing the truth in relation to their position, and I do not think that it does anyone a service when that occurs. I know that we are all entitled to our view and we are entitled to state it. However, where we have a responsibility to state our view, I think the view should be stated as clearly and succinctly as possible and in a way which educates the people who are searching honestly for a position to decide the way in which they will vote.

Up until this stage the debate has been run away from the political arena, although the entertainment industry certainly has been used well by the media. It has become more than a political issue; it has become an issue of entertainment in that people are not given reasons or educative information, but talking heads or shaped heads on Murdoch or other mediums with the comment 'I am voting "yes"' or 'I am voting "no"' and with little or no educative backup or support, apart from a one line statement. I have heard some very narrow views with little or no explanation being put by people who I thought might have had a more substantive argument to back up their case and who have been given air space to make sure their support was seen publicly for either the 'yes' case or the 'no' case—and I make no differentiation between the two; it is just the way in which the media, in some cases, have presented the debate.

The ABC has put on at least two good programs that I have seen on constitutional reform, explaining the constitutional position and holding question and answer sessions to allow people to determine that issue for themselves. I would like to see the yes vote get up on both counts; I will certainly be supporting that on the day of the referendum. I will be casting my opinion only among friends and family members who are prepared to debate and listen to it. I have been approached by the *Sydney Morning Herald* to state an opinion, strangely enough, but not—

The Hon. K.T. Griffin: Plenty of votes over there for you!

The Hon. T.G. ROBERTS: Yes—but the local press have not been interested. The position of members of parliament in relation to the debate is clearly not seen by the Murdoch press here in Adelaide as being important. I cannot fathom how some politicians are saying that we cannot allow politicians to determine the role, function and election of a president, when it is politicians who are advocating the no vote. What they are doing is undermining their own credibility in trying to present a disreputable argument to the public for assessment. I think some sections of the media picked up the inconsistency between those two positions.

Another issue that needs to be examined in relation to the media is the role of the ABC. I think that all of us in this Council are supporters of the ABC and its independence in taking the republic debate into the public arena. Those of us who follow the media as members of parliament and with our political interest in it have been very disappointed to see the role that the cash for comment affair is starting to play in the commercial media. If ever there has been an argument for the protection and prevention of the dismemberment of the ABC or the downgrading of its funding, independence and educative, information carrying and entertainment roles, it has been highlighted to me very vividly in the outing of the cash for comment announcers who have been put on trial by other sections of the media in relation to their own activities working in the commercial arena.

I am sure that it must come as a bit of a surprise to the radio station owners themselves that some of their cash for

comment announcers are making more than the shareholders are paid at the end of the year from the profits those radio stations make. Many of those radio stations are finding it difficult to maintain their profitability in a competitive climate, yet we see such organisations as banking corporations or their representative organisations, large multinational companies and others making payments in cash or in kind to have their points of view editorialised through comment and put out to the public as educative material based on opinion. We have at least one station here in Adelaide that is involved, and certainly in Melbourne and Sydney it seems to be the norm rather than the exception.

It is a timely reminder and a wake-up call to the public that they need to look behind the glitzy facade of those individuals who are involved in this type of affair. As I said, it draws a line between public radio, public broadcasting and public television. At this stage we do not have publicly-funded print media, and more is the pity for it. Certainly, for other sections of the interests within those communicative areas in radio, more so than television and the print media, it is very hard to differentiate what is of newsworthy note and what is of vested interest.

As members of parliament, we are asked to put forward our vested interests in a form of declaration so that the public can see whether we have any linkages to any of the statements that we make or whether we have any vested interest behind some of the comments that we may make in this parliament on behalf of groups, individuals, organisations, financial bodies or companies. We have to make declarations of that type, but journalists or information kings or queens really do not have to make any declarations at all. Perhaps legislatively we need to look at that at sometime. We have a broadcasting code, and we have codes of practice that are based on self-regulation, and it appears that they are being breached continually. As I said, it may be a wake-up call particularly for the broadcasting industry to get its own house into order.

As I said before, if I were a shareholder or a director of 2UE, I would certainly be looking at ways in which the cash for comment was to be turned into direct revenue for a more honest, open way for payment for comment, and that is to have paid advertisements. Sponsorship is becoming more fashionable in the public arena, and certainly the worst aspect of private sponsorship is sponsoring a person and not the product through what can be easily recognised as an advertisement. I note that SBS is taking on more commercial support to allow it still to have its broadcasting standards in relation to its television and radio programming. That is through necessity, and I think that is lamentable.

Both SBS and the ABC should be able to be publicly funded, without having to dig into the world of commercialism, which sometimes then influences programming and programming styles, and re-shapes influences in relation to what goes to air. I am not saying that that is the case with respect to the ABC and SBS, but certainly some cases were thinly disguised as promotional, and there were investigations within the ABC which, my memory tells me, did not lead to any disciplinary charges but certainly put people on notice that they were sailing very close to the wind. The federal government needs to make sure that ABC and SBS broadcasting television and radio have an independence, so that people can rely on independent views without vested interests to form their opinion and thus become better informed citizens, so improving the standard of democracy.

They can make more informed choices, they can make more informed opinions, and whatever we determine as being truth I think can be more easily searched for and opinions drawn from bare information, bare facts than from those that are tainted by opinions put forward by people who have been sponsored. So I look forward to this state government using its influence, as the Liberal Party has in government in this state and federally, in maintaining an independent ABC and an independent SBS television and broadcasting.

The normal way that I have related my contributions to the Address in Reply has been to use the Governor's speech as an indicator, which most of us do from time to time, in relation to the state of South Australia and to have a look at some of those influences that may impact not from where we have been but on where we are going, to try to make some assessment on just where the state is heading, given the current economic climate. For the last few years I have made the general observation that South Australia's economy has been treated as a regional economy, not a state economy, with the changing nature of new federalism and new globalisation and the way in which the nation fits into a global economy. I think those chickens have finally come home to roost, that the eastern states, certainly the Sydney eastern states axis, and north, have been the parts of the economy that have overheated and the rest of the economy, to the exclusion perhaps of Western Australia and the Melbourne CBD, have been overheated to a point where we are now all looking at an interest rate rise based on four or five economic hot spots in the nation.

We have been told by economic commentators and some forecasters that the economy has reached the peak of its heat, that it cannot take any more and that the heat will have to be dampened and that interest rates will have to rise, and that some of the good times that the economy has enjoyed over the last two to three years will have to be slowed. As to the Kennett factor—and I am a bit loath to use that in relation to the Victorian election—I note that the advancement of investment through the way in which the Kennett government channelled the growth of Victoria through infrastructure, through freeways, tollways, and through encouragement to rebuild the Melbourne CBD was more of a factor than Jeff Kennett's style of government, although I think they sort of went hand in hand.

When people from the regional areas of Victoria visited Melbourne they could see direct evidence that the CBD was certainly attracting a lot of investment while their regional centres were languishing and not being able to grow at all, and in fact in most cases a lot of their infrastructure was being dismantled. There were changes to their health system, their hospitals were closing and regionalising, their schools were being closed, their local councils, or shires as they call them in Victoria, were all being amalgamated without discussions. I must say that here in South Australia we did a lot better; the amalgamations at local government level were done a lot better and more sensitively here than they were in Victoria.

The people started to ask questions about what if any plan the Victorian government had in relation to evening out the investment packages throughout Victoria and they found that there was no program at all. In fact, globalisation and the position that the Kennett government adopted in amalgamating and dismantling a lot of protected industries, such as the dairy industry, and freeing them up to market forces impacted adversely in regional country areas. The social impact of

those changes on the people in those areas was not assessed, and the people voted accordingly.

New South Wales is a different kettle of fish. The Sydney metropolitan area has always soaked up a lot more investment than the regional cities. Port Kembla and Newcastle have been reshaped and the dismantling of the steel industry is as serious a question in New South Wales as it is in South Australia. Time will tell how voters view the state government's handling of the overheating of the Sydney economy. The point has been reached at which national commentators are saying that investment in Sydney, along with some of the Queensland hot spots, will cause interest rates to rise across the board. People in Newcastle, Wollongong, Port Kembla, etc., will find that a little hard to accept.

The way in which the state government here handles the dismantling, the sale (if that occurs), or the closure of BHP in Whyalla, which would be the worst possible outcome, will be of great interest. There has been a gradual dismantling of public sector services in regional areas but the growth that has occurred in some of those areas has countered that and replaced it with private sector investment. The wine industry is an example of that. One could describe the South-East as a warm, bubbly part of the state because its economy is bubbling along in quite a successful way. In the last four years the Riverland has moved to a point of success relative to how it was four to five years ago when it was almost a basket case. In Port Lincoln and on the West Coast generally, aquaculture is starting to have a marked impact on the economy. I suspect that Kangaroo Island's transition from traditional farming and grazing to aquaculture and tourism is also having a marked impact.

Those areas have survived to reshape their economies and they have been proved to be successful, but the Iron Triangle will need to be handled with some urgency. The government needs to put together a team of special people who are able to earmark some alternative industry growth for those areas because tourism and some of the new growth industries do not look applicable to that region. I notice that aquaculture is being used as a suggestion for Whyalla.

As a member of the committee, along with other committee members, I have also visited some of the aquaculture projects in the Spencer Gulf region, and I am sure that more can be done in that area. The concerns of local government in Whyalla need to be paid strict attention, otherwise there will be an exodus of people out of Whyalla looking for greener pastures.

I suspect that BHP has made the decision with the best intentions to try to get an alternative buyer for the steel mill. However, I am a little suspicious as to why it has made it public at this stage. I would have thought that it would be more positive about who would be interested in buying a steel operation such as the one at Whyalla before it made its public statements, because it appears to me that the market has been tested. I note Morgans, a Victorian based steel maker operating in a small niche market, is not interested in buying BHP at this stage. I do not know whether any other Australian steel makers are interested in it at this point. However, that does not mean to say that there is not one on the horizon.

Certainly, the government will have to work very closely with the people of Whyalla so that they do not lose confidence and so that there is not an exodus of those people needed to maintain infrastructure and a trained work force in that city. Because Whyalla is in a slightly more isolated geographical location than Port Augusta, it does not have the

advantages Port Augusta has in relation to supplementing the income of that council area with tourism.

I will be watching very closely what the government's position is, whether the Premier's department takes up the challenge of putting forward a combined overall plan for alternative industry and social development for Whyalla and works closely with Whyalla. If it does, then I am sure the people of Whyalla will cooperate closely with the government in putting forward ideas that they see as being of benefit to the future of their children and of those people who already make Whyalla their home.

The position in which South Australia finds itself in relation to national capital development does not lend itself to South Australia advancing its position in the next 12 months in the lead up to the next budget process any better than it has done in the past 12 months. The advantages that we have are not being put to best possible use because, if they were, South Australia would be in a much better position. Not only South Australia but other regional areas find themselves listening incredulously to some of the financial commentators who say that this is probably the best growth period we have had and that wages and salaries have never been better.

The *Financial Review* states that profits are as good as they will get and that the stock market is at a record level, yet we still have a tax on what I call the working poor—those people who are employed but whose wages and conditions of employment are being driven down, mostly by international companies. There are attacks by the Reith legislation at a federal level, trying to increase the hours that people work in a way that we in Australia have never seen before.

Normally, there is an equal weighted balance between labour and capital in relation to negotiating change but in this case we have legislation being introduced to change that relationship. So, even though we have record levels of profits being made by mostly global orientated multinational operators, we have record dividends being paid to investors and we have a record number of people in Australia now who are shareholders, we still have a division between the rich and the poor that is being exacerbated by more attacks. I would have expected that, in a fair and reasonable society, if everyone at the top was getting a fair shake out of a growing economy (and it appears that they are), those people who produce the wealth in this country and those people in paid employment—those wage and salary earners—should at least be able to expect permanency of employment instead of casualisation of their work.

They should at least be able to be loyal to one employer, instead of being subjected to what is happening at the moment, where individual members who are employed in the work force cannot get the hours they require to pay for the upkeep of their homes and their families. And, in many cases, more often than not, women in particular have to take on more than one job to supplement the reduced take-home pay of their male partners. There is now little or no security of employment for anyone; all the full-time employment is being reduced to part-time and casual work, and there is no loyalty in the work force out there to any specific employer who treats their employees in that fashion. We have moved from a point where permanency of employment brought with it a certain loyalty. What we have now is people who work for a living, nothing else: they do not enjoy their work, they do not look forward to going to work and they certainly do not have any loyalty to those people who are paying their wages. That is unfortunate, and I believe it is not something that we have had in Australia generally.

Over time we have had, I suppose, a line of investment patterns through the manufacturing sector, in particular, where there has been either a 15 or a 20 year life (and, in some industries, much longer) and people were able to see how their future would be within their own lifetime and could make those investment decisions that families have to make in relation to themselves, their children's education and their homes and cars, and they have done that from a certain secure position. Unfortunately, that is no longer the case. The Hon. Legh Davis read out some figures about home ownership and how it had peaked in the 1970s to some 70 per cent, I believe. I am sure that that percentage will start to fall as people turn to rental accommodation and start to make decisions about the way in which they budget—which will be in a much different way than has been the case the past.

I am sure that, at the top of the salary and wage scales, nothing will change. However, with respect to those people who are in demand in the current economic climate, their skills will still be in demand during the next uptake. Even during the tapering off and the weakening of the economy those people will still be in demand if they have the right skills, the right education and are placed in the right industries at the right time. So, we are heading towards a three-tiered economy (and we have been for some considerable time): that is, those who cannot enter the work force at all—and that includes a lot of young Aboriginal people, a lot of middle aged male and female workers who would like to get into the work force but who just will not be able to enter it, and those who would like to work from home. Those options just will not be available.

So, we will have an economy that embraces people for a particular time around particular wages and conditions, and then we will have those who will have permanency and security and who will be able to enjoy the fruits of their and other people's labours in a way in which Australia historically has never seen. The divisions will just get worse.

I draw members' attention to an article in the *Age* of Monday 5 July. The *Age* had a series of articles on globalisation, and I note that one of our honourable members is promoting a seminar on globalisation. The article states:

Love it or hate it, globalisation is reshaping nations, undermining traditions everywhere and bringing fundamental change to the way we live. Tony Parkinson [author of this article] opens a special *Age* series by assessing the potential winners and potential winners and losers.

He goes on to bring together some of the contributions I have already made. He draws some analogies about where we are going in relation to globalisation and how nations and states actually fit into that. The article states, in part:

The fall of the Berlin Wall marked not only the end of the Cold War but also a liberation of new forces, captured by the generic shorthand of 'globalisation'. On the cusp of the twenty-first century, the market reigns supreme. National borders are increasingly porous. New technologies are bringing dramatic changes to the way we live. Traditional methods of commerce are being subsumed by an 'around the world, around the clock' business culture, creating what Rupert Murdoch called a global street market.

Old industries and modes of thought are crumbling, leaving governments and societies grappling with the consequences. The end of the nation state? The end of history? The end of geography? Technology is shrinking the planet. Satellite communications have seen the cost of a three-minute transatlantic phone call fall from \$244.65 in 1930 to less than \$4 today.

The cost of computing power has fallen by 99 per cent since the '60s. In 1980, IBM predicted the world market for personal computers over the next 10 years would be 275 000 machines. By 1990, there were more than 60 million PC users.

World trade has also expanded exponentially—15-fold since 1945—as nations open their markets. A study by Michele Roth, of the Global Policy Forum, found that 160 of the top 200 most influential institutions on the planet today are transnational corporations. They have overtaken all but the wealthiest nation states.

As the 1997 Asian financial meltdown demonstrated, governments can be powerless before the tidal wash of international capital. The Bank for International Settlements reported a flow of more than \$US100 billion into Asia one year, and \$US100 billion outflow the next.

I will not read the entire article, but I am sure that, as people who are following the money trail throughout the world will know, you do not have to be very clever to find that, once a company is earmarked for expansion or its economy is earmarked for contraction, it happens overnight. There is no warning. The stock market is the first to react and in a bad time, in a democracy, many of our constituents are thrown out of work or put onto social security, if it still exists. In a dictatorship or a paternalistic dictatorship we will find that in some cases civil war is the outcome of these investment packages and withdrawals. We are living in a very volatile area of the planet in relation to the way in which moneys are moving through economies.

We certainly have to be aware of some of the impacts that globalisation has on human development. We must have our finger on the pulse in relation to the social impacts of global investment, and we certainly have to watch what happens in our own country in relation to our own social development and how international funds are moved in and out of our own country. We also need to look at the impact on the sale of our national assets in relation to overseas capital and how they operate their businesses within their own interest parameters, that is, bottom lines and maximising profits. We need to have a response to that. We can have a legislative response or we could have what the conservatives view as self regulation, that is, no regulation, which is what we have now. Not only are our citizens losers, but so is our environment. The challenge for the government in power—and that is the Liberal government at the moment—is not to embrace capital without intervention but to have some controls and to be aware of the pitfalls that can beset the sale and misuse of public assets.

In relation to the divide that I was talking about earlier, an article in the May 1-2 *Weekend Australian* by Alison McClelland states:

Australia has managed to avoid the extensive and intense social divisions that are apparent in the US and the UK. Certainly our very poor neighbourhoods are going backwards compared with our richest. Generally, the position of people who are low-skilled has worsened—part of a world trend—and some certainties of life are diminishing: the certainty of obtaining and retaining a job, of forming only one family as an adult, and prosperity in all regions and communities. Such changes create an unease about the emergence of groups or communities permanently excluded from the work and leisure opportunities that most of us experience.

Basically, that encompasses what I was saying earlier. It is not predicting what social consequences will happen: it is alerting people to the fact that if we do not do something we will be doing what we are witnessing at the moment. We will be reacting to circumstances by building more gaols and putting up the sentencing periods and non-parole periods of some of our laws in relation to law breakers. Because we will have excluded and watched the exclusion of citizens from being competitive within our own social system—because capital is excluded from participating—we will have a responsibility to pick up the impact of that and intervene with

policies that prevent the worst possible aspects of going to war against our own people, as happens in the United States.

The Hon. Mr Davis speaks glowingly of the way in which the American economy is buzzing, how it has warmed up, how it has very low unemployment and how everything is rosy in the garden, but I bet he did not walk around some of those disadvantaged areas in the cities that he visited in the United States. I am sure he did not walk alone at night to attend an art gallery opening or even to see a film in some of those entertainment areas such as Broadway. You really need to walk in fours or fives to protect yourself from the gangs that operate at night. Within the large cities in western capitals there is now a breakdown of law and order where the cities are taken over by the unemployed and those people who do or do not sleep on the streets.

So, my point is that Australia has avoided that up until now, but as the Reith doctrine starts to take shape—and with the absence of any input from the Prime Minister—that is where we are heading. The Prime Minister made a very unusual statement just recently when he argued that he was disappointed that all Australians were not taking part in the economic miracle occurring at the moment.

I thought that was quite cute. It was almost as if he had been sitting in the back seat of a 1940 Ford Pilot and someone had pulled in the dickie-seat and he had been driven around and was not able to see the results of his directions. That is one problem with the Howard government. John Howard is probably a very honest individual who would like to see all Australians participate in a fair and even society. What he does not realise is that his own policies are so conservative and that the ministers whom he allows to drive around town in the Ford Pilot (with him in the dickie-seat) are hell-bent on redistributing income away from those who do not have it to those who have too much. Obviously, there will be losers.

The Hon. M.J. Elliott: Without income redistribution, how can you have a \$10 million wedding?

The Hon. T.G. ROBERTS: That is right. Excesses are now being poked down—

The Hon. M.J. Elliott interjecting:

The Hon. T.G. ROBERTS: Well, yes. The trickle-down effect does operate in both major parties to varying degrees, but I am sure that if you are waiting to be trickled on you will get less than the champagne that started out as champagne in glasses: I am sure that another residual part of that beverage will trickle down on you.

The Hon. M.J. Elliott interjecting:

The Hon. T.G. ROBERTS: That is right. It surprised me when the Prime Minister made those statements. I am also surprised that some organisations are now feeling the pinch as distribution of their own emergency funding for difficult cases has increased and their allocations have been decreased. My point is that I can only surmise that the Prime Minister does not understand the impact of his policies. He should get out and talk to people to find out exactly what is happening in the street. Sure, we have an economy that is bubbling along very successfully in some places. The Sydney Olympics will make a lot of people feel very good, except those who applied for tickets and who did not get them. They will feel duded, but there are a lot—

The Hon. M.J. Elliott: They should have gone in the lottery. They would have had more chance of winning the money to buy the expensive tickets than—

The Hon. T.G. ROBERTS: That is probably right. Australia will be in 'feel good' mode for at least another six to eight months while the economy is starting to trend

downwards, but those people who have not participated in a booming economy, as outlined by members of the Liberal Party at the federal level (Mr Costello, etc.), will certainly not be able to participate in an economy that will be in mild or heavy recession in the next 12 months. I have a lot more material I intended to use in relation to the economy, but I will finish by making—

The Hon. R.I. Lucas: More, more.

The Hon. T.G. ROBERTS: Now that I have given members opposite the benefit of my Address in Reply in relation to where we should be going if they are to stay in power, I must now give the government some brickbats in relation to where we stand in relation to the nuclear industry. South Australia is running a course that will head towards our being the recipients of a nuclear waste dump area. All the information from those people in the industry who know indicates, 'Yes, it is only a low level waste proposal at this stage, but you had better watch out because it will move from low to medium to high level in less than a decade.'

Australia has almost the full nuclear fuel cycle. We do not have the nuclear fuel industry, as is the case overseas, but I want to raise some of the dangers of being in the process. It is no good being an innocent party to uranium mining when you do not play your full role within the club, that is, accepting your waste, whether it is low, medium or high level, because the industry will ensure that you play your role and meet your responsibilities.

I now raise the issue of spent uranium being used in weapons in the Middle East. There was no training or advertising about the fact that depleted uranium was to be used. Many people have been affected by it. There has been an increase in the dangerous production of power, with generation from nuclear power stations all around the world. Japan, a highly technical and sophisticated nation, has just had a major accident; we have seen the unedifying spectacle of Indonesia being sold nuclear powered reactors; we have had a lot of problems with nuclear power in other sophisticated nations such as Britain and America; and the nuclear fuel cycle is probably what engineers would describe as the most complicated way to boil water that man has ever devised.

If we are to keep opening up new uranium mines, it is only a matter of time before the industry itself says that you cannot have the benefits at one end and not pick up your responsibilities at the other. If this government is trying to convince its constituents that it can get away with that policy, it will soon find that that tune will change and the same people will come back to tell us that we have to take medium and high level waste products into South Australia. There needs to be an inquiry into the industry. The fact that Beverly and Honeymoon are coming on stream and the federal government is pressuring Aboriginal communities in the Northern Territory to bring forward Jabiluka are indicators that it is 'all systems go' for us to become involved in the nuclear system.

I understand that a decision is almost due on an application for a new nuclear reactor to be built somewhere in Sydney to replace the current reactor. There will then be a call to deal with the spent uranium that is being produced in that facility. I do not think we can play the innocent in all this. This has been done in an insidious way. Our citizens have not been given the chance to take part in the debate. A handful of people have been affected by an environmental impact statement or assessment by the proponents of the dump in the north near Woomera, but I am sure that, if the people of South Australia were given a fair go to make their own assessment, if the government projected its views on

where it sees the nuclear industry in which South Australia will participate during the next 10 years, their decision would not line up with the government's proposals which will be put forward in the next few months. With those few words, I thank the Governor for his address.

The Hon. M.J. ELLIOTT: I rise to support the motion. I thank the Governor for his address upon the opening of the Third Session of the 49th Parliament. I listened to the Governor's speech with a great deal of interest—a speech which was made not long after an election was held across the border. I was pleasantly surprised to find how often the word 'fairness' appeared in the Governor's speech.

I must say that, indeed, going through the substance of the speech it was hard to find what was being done to provide fairness, other than that fairness was being claimed about every third or fourth sentence, particularly early in the speech. It seemed to be sprinkled liberally through the speech without any particular relationship to what was there. But I suppose only a cynic would suggest that the speech was prepared for the Governor and the result for Kennett in Victoria had caused a fright so there was a need to be fair and to show some concern for regional centres. That showed up a bit in the Governor's speech, although if one scratched around it was difficult to find that much was being done, other than filtering of water (which was on the drawing board anyway), but of course that is reclaimed.

I have had an opportunity not only to look at the Governor's speech but also to hear the Premier speak on a couple of occasions recently. He has talked about the economic miracle that is South Australia and by implication the good governance that they might claim they have been providing. Something which is quite often quoted in South Australia is changes in employment and, of course, if you are the second worst state in Australia there is a lot of room to move in terms of improvement. We all are keen to see improvement in employment statistics, but when one does an analysis of what has been happening in South Australia, even over the past 12 months, say, from June 1998 to August 1999, one sees that, while there has been improving employment in South Australia, almost all the improvement has been in the part-time category; in fact, not only part-time but also, as I understand it, casual.

There is no question that some people, for example, high school students and university students who are after a bit of extra cash, would welcome a casual job but this growth in part-time and casual work is not going into that category. In fact, increasingly, people who would ordinarily be, and I suppose still are, the major breadwinner for the family are increasingly reliant upon casual part-time work as a source of income for a family. It means that, while contract work and casual work might be okay for a person in the upper income echelons—for example, a person working in computing—it is quite another thing for the person has not only no security of employment but no guarantee that another job is waiting. They cannot get home loans and they cannot make the sorts of decisions about planning their lives that have been taken for granted in the past in Australia.

In fact, since the late 1950s the general idea was that at least one person in every household would be able to get a full-time job; they would know that they would be in full-time employment; they would know how much money is coming in each week; they would know it would continue to come; and, indeed, the family could plan their lives. For an increasing number of Australians, and even more so in South

Australia, that is what 'employment' means. One cannot help but recount a retort where Bill Clinton stood on a platform and boasted about how many jobs he had created in the previous 12 months and an interjector cried out, 'Yes, and I have three of them.' That is the sort of employment situation that is happening in not only the very unfair United States (to which the Hon. Terry Roberts referred in his contribution) but also, unfortunately, in the increasingly unfair Australia—and the increasingly unfair South Australia. You can put fairness all you like into the Governor's speech, but the reality is that there is increasing unfairness occurring in South Australia now.

Even in the so-called good economic times, the distribution of fairness is not even, to the point of being downright unfair to so many South Australians. It is more interesting to look at the areas of success—and there is no question that success is occurring in South Australia—but some people find it irksome that the government is trying to claim that it is responsible for some of the success.

The Hon. R.I. Lucas: You blame us for everything that goes wrong.

The Hon. M.J. ELLIOTT: Let us take an example, and I will even refer to one instance where I congratulated the government but I will have to admit that I was wrong in congratulating it—and I will get to that in a moment.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: I was wrong in congratulating the government and I will recant: just give me a moment and I will get to it. The first example is the wine industry. The state government likes talking about the great success of the wine industry, and indeed it has been a success, but what has the state government had to do with it? It is worth—

The Hon. R.I. Lucas: The National Wine Centre.

The Hon. M.J. ELLIOTT: The National Wine Centre ain't there yet and it has had nothing to do with any success that has occurred so far. I refer to a press release put out in August this year by the Winemakers' Federation which states that, for the first time, Australia's wine exports had exceeded \$1 billion per annum, which is great. However, those of us who have reasonable memories would remember that it was in 1991 that the industry set the target of \$1 billion of exports by the year 2000. Accompanying the press release is a graph showing the growth in wine industry exports. One can see that the growth started in 1990, which is about the time of the speculation that there would be exports of \$1 billion, and indeed that graph just continued to rise.

The role of the state government has been pretty close to zero—regardless of whether it was Liberal, Labor or Democrats! The wine industry was going to be a success because it was a good industry which was underpinned by a very long history of excellence, by a stroke of good luck in that phylloxera did not wipe it out early and by the excellence of Roseworthy, which has put out great viticulturists and winemakers over many years. So an industry that put together a professional plan to go ahead has succeeded and it deserves to be commended. The government seeks—

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: The Liberal Party voted in support of the Labor Party when it introduced the first wine tax, which was introduced when the wine industry was on its knees. It spoke against it. It put out press releases saying what a dreadful thing the wine tax was but the senators voted in support of it. When the Labor Party brought in the second increase in wine taxes, the Liberal Party again put out press releases saying what a dreadful thing it was but again voted

for it. The Liberal Party has an excellent record of support for the wine industry as illustrated by that little record.

We could move onto aquaculture, which again has been a boom industry in South Australia. It has a lot more upside left to it yet. There are probably two areas that have had real booms. I do not think it was just the tuna industry: the oyster industry has done very well and it is probably fair to say that the abalone area is looking very promising at this point. Indeed, the tuna industry was not started under the Liberal Government: it started in 1991 with a research farm in Boston Bay, which was funded by the FRDC. The involvement of the Department of Fisheries was environmental monitoring, and research was then being conducted into transport, capture, feeding and marketing of fish. A report on the growing out of southern blue fin tuna was put out in 1993. In fact, in that year nutritional work and cooperative research started and the Department of Fisheries played a greater role, which, ultimately, led to the report in mid-1994, 'The Port Lincoln aquaculture plan'.

The tuna industry is in South Australia largely because the tuna which swim along our southern coastline are in sufficient numbers and of sufficient size to justify the industry that has now been established. The only other place it might possibly have gone is into the eastern areas of Western Australia, but the fact is that this was the right place for it to happen and it was already under way. In fact, in the long run, the government has been a hindrance rather than providing assistance.

If it been properly monitoring the tuna industry and in fact if it had insisted on the original proposals for the tuna industry, the industry would not have stayed in Boston Bay. It was not the original proposal of the industry that it stay in one site for three years. In fact, the Boston Bay project was only ever meant to be a trial. If one takes the time to read the reports one can see that it was planned that after those trials they would move outside Boston Bay. That did not happen because of slackness; the government was not carrying out the monitoring that should have been occurring. The tuna deaths then occurred, which were a result of bad management. The government's underspending shares a significant part of the blame, because the original plan was not carried out.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: The point I make clearly is that the government tried to claim credit for things for which it deserves no credit at all. In fact, it is on its roller blades when things go wrong, moving as fast as it can to get away. That is not just my view. I have a letter from the aquaculture management committee written to Mr Kerin on 26 October which letter also expresses concerns. That must be reasonably relevant and recent. This letter refers to a meeting that took place on 24 September. That meeting referred to a letter that was sent by the director of fisheries and aquaculture to the chairman of the aquaculture management committee. This letter added to the confusion and exacerbated the concerns that this group held. Their concerns include site identification, as follows:

The officer responsible for this gave a very good breakdown of his activities to date. There is no doubt that the way we create and implement management plans is at the heart of balanced and sustainable development of the industry. It is therefore a little amazing to be told that the resources available for the government to undertake this task (and only the government can do so) amounted to 0.1 of his time, and in the future will have 0.65 of one new FTE. Related to the size of the overall task and its importance to whole

industry and all other stakeholders, then the resources being applied are ridiculous.

It states that the apparent lack of commitment to an obvious, high priority task is disturbing. In relation to industry development, the letter states that IMC was dismayed to learn that the resources were inadequate and that a previous officer served in the position for only six months. It further states that the position is still vacant, and little has been achieved and little will have been achieved by the time the SDI runs out in June 2000. With regard to technology exchange, the letter states:

The unanimous view of the sector representatives was that the client managers had achieved their goals, or were well on the way to doing so, and had created significant value add.

That is very positive. It continues:

However, it was of great concern to learn that, because of uncertainties over continuity of funding, these excellent people may have to begin seeking other work before the end of the initiative.

With regard to fish health, the letter states:

The previous occupant of this function was a man of outstanding ability and knowledge, and it is a loss to us all that he chose to leave.

In fact, this is an ongoing concern; people are constantly leaving from SARDI and there is an enormous loss of knowledge with that.

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Order! The chair and the member with the call would appreciate it if the level of conversations could be reduced.

The Hon. M.J. ELLIOTT: The summary of the FSDI is as follows:

We are concerned at the lack of real progress and the poor overall value for money. The question has to be asked where has the money gone? Is it still available or has the unused component, if any, been applied to other things?

Again, in a section entitled 'industry priorities' in the summary the chairman of the committee stated:

Clearly there is a lot of work still to be done, by all parties.

In relation to policy issues, he says:

The proposed Fisheries Management Authority is viewed with some alarm. It does strike many of the IMC members that if the current arrangements are not working, then the proposition put forward by the director is even less likely to be effective.

That makes it quite plain that current arrangements are not working and that this proposed Fisheries Management Authority in their view will make things even worse. The final conclusion to the whole letter reads:

Aquaculture is continuing to develop as a major industry for the state, and in many respects is at a turning point. How we organise ourselves from here on is going to be critical for the continued well-being of the industry and its interactions with other stakeholders and the wider community. The current models are not effective and the proposed transition to a full FMA, within which aquaculture would again be buried, is not in the best interests of the industry or the state.

I have spoken to a number of people in aquaculture and I have heard those views expressed repeatedly. It is not just my saying that people have said it to me. Here we have the chair of the Aquaculture Management Committee expressing those views.

Aquaculture has been handled appallingly badly. We have investors striking the problems they had in Kangaroo Island where a proposal to put a tuna farm just off the coast of Kangaroo Island went before DAC. It should never have gone before DAC. It should have been plainly obvious that the particular proposal was inappropriately sited and would have failed. But the whole zoning arrangement carried out by the Government has been absolutely inadequate and gives no

certainty to anybody. It gives no certainty to aquaculturalists or the general community. There has been vast underfunding. There has been an attempt to grow on the cheap what is an important industry and one which could be far more important. It has grown rapidly in spite of the government—not because of the government. The major growth has been in the tuna industry, and if one looks at the potential value adding available there it was South Australia's good fortune that it occurred, and unfortunately it had nothing to do with good planning.

The next industry, and one on which I have congratulated the government (although it might appear prematurely), is back office operations and, in particular, call centres. Many times I have heard the Hon. Mr Olsen talk about how we have been getting 20 per cent growth a year, and how this is fantastic. I have to say that 20 per cent growth per year is fantastic. Then I came across an article in the recruitment section of the *Weekend Australian* about two weeks ago. The article commences:

Call centres make up one of Australia's fastest growing industries. But it is an industry with challenges—high employee turnover, a need for continual training and an environment of constantly changing technology.

Last year Australian call centres employed 60 000 people and had an estimated worth of \$2.5 billion. This year Call Centre Research reported a work force of 160 000 and an annual worth of \$6.5 billion. 'It is growing by more than 25 per cent per annum,' says John McCoy-Lancaster, Executive Director for the Australian Telemarketing Call Centre Association.

Wait a second; we are having this miracle in South Australia. We are getting 20 per cent growth per year, yet Australia is getting 25 per cent. Well, I am glad we are getting 20 per cent, but I have to say that the average South Australian is being given the impression that somehow or other the South Australian Government is performing some absolute miracles and we are racing ahead of the pack.

The Hon. R.D. Lawson: We are getting 20 per cent and they are getting the other 5 per cent!

The Hon. M.J. ELLIOTT: Mathematician? That is why you went into the law. You do not need any maths to be a QC, unless it is for the hourly charge. Just think of a big number and that will be all right. Do not worry how you calculate it. Yes, in the past I have said I would like to congratulate the government on something, and this is one thing. I am forced to recant: I was wrong. I am sorry, the government has not performed the miracle that I thought it had. We have been growing rapidly, but we have been growing behind the national pace. So much for that little miracle.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: I can read 25 per cent and I know it is bigger than 20 per cent. Even you, after your three years of maths and honours, would know that 25 per cent is bigger than 20 per cent. You would have remembered that much, although it is a few years ago now. They are the three areas I have heard the government constantly recount as the successes in South Australia. I do not mind that because they have been successes for South Australia, although in relation to call centres it has not kept up with the national pace.

The government also claims responsibility for the wine industry and for the tuna industry when we know that both had things in train beforehand. We also know that it has handled aquaculture in such a way that it has stalled growth rather than accelerated it, which needs to be put on the record, as I have done. Unfortunately, this government is also making a lot of bad investment decisions. The Treasurer by way of

interjection talked about the wine centre, but frankly I cannot see how the government providing cheap office space in the parklands for the wine industry can be seen to be a good investment. I cannot see how spending tens of millions of dollars on the soccer stadium is a good investment.

I suspect that we probably made more money last weekend out of the seniors rugby tournament than we will ever make out of the Olympic soccer tournament. In fact, there is no question because, from what I am hearing, every soccer game will run at a significant loss. We are trying to sell tickets for \$180 each, so I am told.

The Hon. R.I. Lucas: Have you ever been to the Velodrome or the hockey stadium?

The Hon. M.J. ELLIOTT: No, I have not—they are all big sellers. The justification for extending the soccer stadium was largely to provide accommodation for the Olympic tournaments. It is now quite plain that the soccer stadium has already financially broken one of our two clubs here in South Australia because of the deals it was forced into. The other is in significant financial difficulty. There is a distinct odour around the whole development at this stage, and the government has indeed spent a great deal of money, which will turn out to be a loss. Unfortunately it has done a lot of harm along the way.

The government to this day has not put on the record precisely how much it has cost us to get the development at Glenelg. I say 'cost us' because I think the government has probably spent more money than the developers in terms of getting the development down there. I have said on the record in this place on many occasions that a development at Glenelg was long overdue, but it could have been done by putting it out to tender. A significant amount of public land was put in and we could have done it with far smaller government expenditure and ended up with a development that was far less damaging than what we have ended up with. There is no doubt that it will be a nice tinsel job, but the best developers around Australia, had they been offered public land to the south of the Patawalonga, would have come up with a development that would have been superior to the one we are ending up with, but the government only ever dealt with one developer in this proposal, which is a bit of a pattern in terms of the way it goes about things.

The Hon. Ian Gilfillan interjecting:

The Hon. M.J. ELLIOTT: He should be muttering. The government has messed up and he is reduced to muttering. I hope that I do not have to recant on this one, but I must say that at long last the government is making progress in relation to education. We are getting more foreign students into South Australia than we have in the past, and we have increased our Australian market share. That is promising.

The Hon. R.D. Lawson interjecting:

The Hon. M.J. ELLIOTT: The honourable member, having shown some mathematical ignorance, is now showing a great deal of ignorance about the impact of basic skills tests on foreign students coming into South Australia. I hope he is not on a hat trick here. It is something in which South Australia should be getting more than its fair share because of market advantages we have in terms of cost and because of the sort of city we have. We are still running at about 4.5 to 5 per cent of the national market. I will consider that we have had real success when we get to around 15 per cent, because that is eminently achievable for South Australia.

The final issue is planning and I have to say that I was very heartened by the contribution made in the Address in Reply debate by the Minister for Transport and Urban

Planning, and I note that she issued a media release this morning about urban development. I am aware that she recently visited Portland, Oregon, the place which for 20 years has seriously set about urban zoning and stopping urban sprawl. It has stated that, if there is to be further growth, it has to happen within the city's boundaries and not beyond. Despite what on the face of it are very strict planning rules, Portland, Oregon, has been one of the success stories in the United States in terms of achieving economic growth and, at the same time, achieving quality of life. I know that the minister came back from Portland quite excited by what she saw there.

About 10 years ago I visited Portland and spent time at the Metro. The City of Portland has within it a number of local government areas and the Metro was formed to pick up certain functions of local government. That body comprises representatives of each of those local government areas and it administers a lot of Portland's planning. I also came back from Portland pretty excited, and that was 10 years ago.

The time to act is now. The Southern Expressway is making the city accessible from the south, and the new freeway into the hills will soon be open, which will encourage more expansion, and that is at the same time as we are hearing about Adelaide's having major water quality problems. It is not just a matter of protecting water quality. The initial reason that urban zoning was introduced into Portland was to protect its most valuable farmland. South Australia has such little good quality farmland, although we have good farmers who manage to grow crops on ordinary soil with very low rainfall.

The very reason that Adelaide was established was because it had good soil and water. We have already let the city spread over the most important market garden areas. There are now market garden areas to the north and horticulture in the hills and in the remnants of the Willunga area. It would be criminal to allow the city to continue to spread. If one were to look at maps of other cities, one would see that Adelaide is bigger in area than many other cities in the world with much greater populations. Adelaide is bigger in area than places such as New Delhi. Indeed, it is bigger in area than most cities in Europe and many of the big cities through Asia.

Although we appreciate the quality of life that we get from the quarter acre block—and I have lived most of my life on such blocks in either Mount Gambier or Adelaide—the reality is that we cannot continue to go that way and there is now an acceptance of a different lifestyle. That can be seen in the growth that is happening in the City of Adelaide and in places such as Norwood, where denser population growth is occurring. The question is whether the government will take control of that development to get the optimum result.

The worst possible result in Adelaide would be for the quarter acre blocks to be split up into eighth acre blocks or even 16th acre blocks, given that there is an even spread of housing throughout the metropolitan area of Adelaide with many people still distant from shops and public transport and dependent almost totally on the motor car. If there is to be an increased population in Adelaide we should be encouraging it to happen in denser nodes. I raised this issue briefly in a Matter of Interest debate a couple of weeks ago, with reference to the areas that I know best to the south. Mitcham Railway Station is very close to the Mitcham Shopping Centre, and people need shops and various other office and ancillary commercial services next to public transport, so to

encourage a high density node development at Mitcham would make a lot of sense.

There is no question that some people living near there would resist that, but what is the choice? The choice is the continual splitting of blocks into half blocks and third blocks right through the whole of Adelaide, with people still living cheek by jowl. No benefit would accrue for anybody out of that. We need to encourage people to use public transport before we get strangled by the highways. We cannot keep building southern expressways, and so on. As the density of population in Adelaide increases, particularly if it is more evenly spread, there will be a big challenge for all our services. Every sewer and water main—in fact, everything—will be under pressure and have to undergo an upgrade. We want to do it efficiently and in such a way that we will get the maximum economic benefit. We also need to do it in a way that maintains quality of life.

People coming into the middle of Adelaide are saying, 'We are getting quality of life.' But it is no longer the quality of life of the quarter acre block. They lose space, but there are still parklands and squares, and they can walk to a coffee shop quickly, so there are compensations. If we are to build dense nodes, it is important that we do not do it in the old fashioned, Victorian Housing Trust mode, where 20 storey grey blocks were built next to each other with no other planning around them. That would be a disaster. We have to make sure that there is still urban open space within the nodes and that they have commercial zones to allow the coffee shop things of that sort to emerge.

I hope that that is the sort of thing the minister has in mind. I have not had a chance to have a discussion with her. I have heard only what she has said in this place. However, I am aware of some of the things that have happened in Portland and elsewhere through northern America. They are the sorts of things that are now starting to happen there. We want Adelaide and South Australia to continue to be successful economically. The one thing that we have over the other states is quality of life. The question is, 'Can we continue to have economic success; can we grow and at the same time maintain the one thing that will actually fuel the growth?'

What is fuelling the growth in Portland, Oregon? Indeed, it is the quality of life. It is not the location. It is more distant from the markets than are many other cities. It is not even the climate, because the place is a lot wetter than Adelaide and quite cold. However, it does offer quality of life because it is a livable, urban environment. That feeds onto the economic growth, but they are making sure that, as they have economic growth, they do not lose that quality of life. That is the challenge for us in South Australia. We can achieve it.

The minister hinted that she has her own bureaucracy to overcome. They still cannot look beyond the urban sprawl. Many of the publications suggest that urban sprawl is stopping but, if you go for a drive to the north or the south, you cannot see where it is stopping.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: Or east, yes. All power to the minister's arm. I hope that, indeed, she does succeed and, if the minister gets this right, it might be the most useful contribution to the economic future of this state that can be made. We should not forget that, at the end of the day, urban planning is potentially an important economic issue. I talked about the urban planning of Adelaide, but it is important at the same time that, in trying to stop the spread of population beyond the urban boundary in Adelaide, we should also be encouraging it to go to regional centres. If Adelaide can

attract call centres—albeit not at the same rate as do the other capitals—and if it can get back office operations, why can we not do the same thing within the state? Why can the state government itself not do that? It is happening in other States. New South Wales has been relocating government central operations—not branch offices—into regional towns. Then, of course, the multiplier effects get to work.

The same sort of thinking must get to work here in South Australia. If we can argue that Adelaide is more attractive than other capitals, why can it not be argued that regional centres could also be attractive for particular things? And they can be. Just as Adelaide can offer cheaper housing than Sydney, Mount Gambier and Port Pirie, etc. can offer cheaper housing than Adelaide. While perhaps they cannot match Adelaide in some areas, such as the arts, if you happen to be keen on sport you could not be in a better place than in one of the regional towns, and if you enjoy outdoor life you could not be in a better place. So, I think it is true that there are some swings and roundabouts.

I thank again the Governor for his speech, and I acknowledge the sad passing of Mr Russack and the Hon. Don Dunstan in the past 12 months.

The Hon. SANDRA KANCK: The Address in Reply gives us all the opportunity to reply to the remarks made by the Governor of South Australia on the occasion of the formal opening of this session of parliament. I bear the Governor no ill will, but I hope for a positive result in the referendum on 6 November and that, as a consequence, this will be one of the few remaining times our parliament will be opened by a governor.

Like the Hon. Ron Roberts earlier this afternoon, I read the Governor's speech and found to my surprise that there was nothing in there about what is going to happen in the Department of Human Services over the next year. To any educated observer this will not be a surprise, because it is obvious to anyone who has even the slightest interest in the Department of Human Services that this super portfolio has not worked. I have received many complaints about the administration of that department, and none of them have been kind to the CEO, Christine Charles, who is perceived as a bureaucrat of the highest order who succeeds in preventing things from happening. Indeed, it seems to some that her role might be to prevent the minister from knowing things. If the department keeps functioning in the way it is, the current minister, who might have ambitions to return to the role of Premier, can probably give those up because of the damage that will be done to him by the continuing crises in his department.

Tonight I want to look at some of the things that have gone wrong or are continuing to go wrong within that department. A recent study by the University of New South Wales showed South Australia as the second worst performing state in health services. According to the State of the States report, South Australia spends \$471 per person per year on hospital services, compared with the average for other states of \$531. Why? We have seen the so-called hospital beds crisis, with the attendant publicity, that occurred at the height of winter. I say 'so-called' because a crisis is something out of the ordinary, but the closing of hospital beds as a response to tight government budgets has become more and more common since this government came to power at the end of 1993.

The government cuts the budget to the hospitals but does not give any advice to them as to how they should deal with

those cuts: it is a case of sink or swim. Those already stretched budgets were put under further strain when cuts of \$46 million were demanded of our hospitals and health services in this year's state budget. Figures provided to me by the Australian Nursing Federation show that, in order to meet budget constraints, the total activity of the South Australian public hospitals will need to be reduced by 181 300 cases, and this despite an increase in demand on services, estimated at 3 per cent. Already this year there have been 78 bed closures as well as increases in the size and length of waiting lists for elective surgery.

Indeed, to reduce the embarrassment of these large waiting lists, some hospitals have closed them and have put in place waiting lists, so that you can get on a waiting list. Regionalisation of hospitals has been a con. It has allowed the government to reduce the budgets of each hospital and to tell the managers and boards that they will have to make the cuts and explain it to their patients. The government seemed to think that it was a clever device that would get it off the hook and that the public would put the blame on the individual hospital administrations and not on the government. But the public has been smarter than the government gave it credit for. Certainly, the media helped to focus attention on the fact that it is the government that is to blame.

In taking on regionalisation, hospital boards found that they were expected to shoulder more responsibility or, as the government clearly wanted it to be, blame. They were expected to tailor their budgets to meet the government's reduced funding to them. They are expected to take the flak from the public about not having basic health services when they are needed, and they are expected to do this without any support from the Health Commission. Yet, when they want to undertake certain activities or purchase particular equipment, the Health Commission suddenly takes an active interest and will prevent them from doing so. The government gets to have it both ways under its version of regionalisation. 'We will give you the responsibility when it means you have to take the blame but, otherwise, we will rule the roost,' says the government.

This year we have been seeing a health brain drain, sometimes seeing talented people moving out of the state. We have seen a series of resignations of senior health officials: Jim Birch as the CEO of the Women's and Children's Hospital; Nick Hakof as the CEO of the Queen Elizabeth Hospital; and Judith Dwyer as the CEO of the Flinders Medical Centre (I observe that Jeff Kennett was lucky enough to get her). More recently David Filby, a senior bureaucrat in the planning and policy section of Human Services, has departed. David Filby has moved to the Queensland Health Department to take on the role of deputy of that body. He will be a real loss to South Australia: he was held in high esteem and regarded as one of the best in the country when it comes to commonwealth-state relations.

When people of this calibre are leaving our health services for other jobs in other states, surely the minister must see that something is seriously wrong in his department. This exodus of health experts reflects the low morale and frustration that exist in all our public health services. It is not surprising that Nick Hakof left the QEH, with the continual turmoil that hospital is going through as a result of government decisions to cut back so many of that hospital's services. The lack of consultation with both staff and community, the paring back of maternity services and the general undermining of services must be debilitating to all those who work there.

The QEH has the lowest caesarean rate in the state at 16 per cent. With figures like that, the obstetrics unit should be seen as a model and not one to be scrapped. Twenty per cent of the women who use that service come from non-English speaking backgrounds, and 3 per cent are Aboriginal women. The services are being cut in a geographical area which has the lowest car ownership, the lowest ambulance cover, the highest unemployment and the highest proportion of people from non-English speaking backgrounds in the metropolitan area. The Health Commission has bungled the whole issue of the future of services at the QEH, seriously underestimating local feeling and community needs.

The government has argued that demographics and declining demand are the reasons for these recommendations, so why not close the Royal Adelaide Hospital? It sounds almost like a heresy to say it, but if demographics is the reason for downgrading the QEH then demographics would have to be a potent reason for closing the RAH. The RAH is an old hospital which would take an enormous amount to upgrade—and it desperately needs an upgrade. The population in the city no longer justifies its existence. It is difficult to access, particularly during peak hours, and even at slow times parking can be a problem in that area. Meanwhile, the government continues to justify the reduction of services at the QEH.

Members interjecting:

The Hon. SANDRA KANCK: Well, if the health crisis is as bad as the government keeps telling us, we have to consider some creative solutions. The government certainly has not provided the demographic evidence to back its case for downgrading services at the QEH. Certainly there is an ageing population in that feeder area, but by definition ageing people die and probably half of them will not be here within the decade, and urban regeneration will occur. What are the long-term projections for an increase in the younger population in the area? I am aware that Fulham play group, for instance, used to conduct two sessions per week, and that has now been increased to four sessions per week as a consequence of more young families moving back into the area. This is evidenced by an increase in house prices—up \$40 000 in just two years. How is it that the government remains convinced that demand for hospital services in the western suburbs will continue to reduce?

Moving some of the potentially high risk births from the QEH to Lyell McEwin or the RAH is utterly stupid, considering the other existing specialist services already available at the QEH. A pregnant woman with potential cardiac, renal or diabetic complications could not have her baby at a better place than the QEH, because those specialist services already operate there. They are not available at the Adelaide Women's and Children's Hospital or the Lyell McEwin. How much extra will it cost to put those services in these other two hospitals, because a pregnant woman with any of these complications will not now be allowed to have her baby at the QEH? Apparently, to convince women in the western suburbs that they ought to accept the downgrading, a program will be put in place to re-train and educate the community about the expectations they should or should not have about obstetrics services. How much will that program cost?

Women will be encouraged to accept early discharge after the birth of their babies, but what extra home help will be made available to assist those women who take that course of action? All the extra costs to accommodate the government's harebrained thinking, ranging from the extra home help for early discharge to setting up renal, diabetic and

cardiac specialist services at alternative hospitals, say to me that the downgrading of services at the QEH will not produce any cost savings for the government. But, having made the decision, it appears that the powers that be are too bloody-minded to back down. I despair at the thinking that produces the actions planned by the Health Commission with the obvious agreement of the minister for health. We have seen the introduction of fees this year by hospitals, the Ambulance Service and the Royal District Nursing Society. There is no doubt that these will not be the last, so I wonder what services will be next. Unfortunately, the government does not seem to realise that those who use these services frequently are those least able to pay. The QEH has introduced fees for anything from bandages to voice boxes.

In his recently released report, the Auditor-General has raised the issue of foreign exchange management by the Health Commission identifying losses of approximately \$709 000 associated with the purchase of biomedical equipment by four metropolitan hospitals. The Health Commission confirmed to the Auditor-General in August 1998 that 'there were currently no formal arrangements in place to manage foreign exchange risk.' Businesses can effectively insure against losses resulting from currency fluctuations in their purchase of equipment from overseas. In the instance cited by the Auditor-General the cost would have been 10 per cent of the loss, that is, an outlay of \$70 000 would have insured against a loss of \$700 000. The Auditor-General's Report states:

In April audit wrote to the commission to ascertain what mechanisms had been put in place since the initial review to ensure there would be compliance with the Treasurer's instructions that require the implementation of proper management practice over foreign currency exposure.

The Auditor-General further states:

At time of completion of this report the commission had yet to provide a response in relation to this matter.

Well, I wonder why not. There has been more than a year in which the Health Commission could have got this right. Why can it not do it, and what is the minister doing about it? We have a funding crisis in health: why are measures not being put in place to protect against further foreign exchange losses? In the whole of the Health Commission there is a lack of openness and transparency. Fear reigns supreme in the Health Commission and it is difficult to get information and answers. As an example, last year, when I became aware that Judith Dwyer was departing Flinders Medical Centre, I sought to meet her before she left so that I could get a briefing on the collocated hospital. I was advised by the minister's office that I had to put in writing a request to meet her and to explain why I wanted the meeting. This I did. I then received a letter from the minister's office declining permission to meet with Judith Dwyer.

The Hon. Ian Gilfillan interjecting:

The Hon. SANDRA KANCK: Yes. Then, in a series of telephone calls over a period of months, we did not make any progress until, finally, in mid-April I met with Brendan Kearney, more than five months after I had initially sought an appointment with Judith Dwyer. Brendan Kearney said that he did not know why he was there to see me. Health Commission staff have expressed to me their enormous frustrations and, unfortunately, it is usually off the record. They prepare reports that are not acted on, leaving the researchers wondering why they bothered and contributing further to a reduction in morale within the Health Commission.

Things are not much better in the area of mental health. We have seen the resignations of Professor Bob Goldney and Dr Eli Rafalowicz as a consequence of the frustrations they felt in working under similar conditions. Professor Goldney resigned due to the fact that he had been unable to secure a meeting with the minister over a period of 12 months, despite the fact that he was the minister's chief adviser on mental health. Does the minister not think that this is somewhat strange? Did he even know that Professor Goldney had been seeking to meet with him? Why did the minister not seek out Professor Goldney during that 12 month period?

Dr Rafalowicz resigned as Director, Southern Region Mental Health Service, citing 'incorrect and inappropriate funding' as a major cause for his resignation. Again, as in the matters about general hospital services, we are seeing a brain drain. Why is the minister simply accepting of these resignations? Can he not see a pattern emerging? In an article in the *City Messenger* of 28 April this year concerns were raised by the Coroner, Wayne Chivell, about the numbers of people with mental health problems in correctional services. One wonders what the crime rate in this state might be if these people had been able to receive adequate support and treatment.

We might be making some short-term savings in the health budget but what is the point of shifting the cost to the correctional services budget? Not only are there up-front costs of police attendance, prosecution, court costs and the costs of imprisonment but there are also the ongoing costs which often show up in another part of the health system for the victim of the crime. James Nash House remains overcrowded and is nowhere near large enough to cope with the amount of mental illness in our prison system. The short-term cost cutting may well lead to greater costs in the longer term.

In 1997, the coroner made recommendations following his inquiry into the deaths of people with mental illnesses. Two years later it appears that his recommendations have not been acted upon. ACIS has to ring around from hospital to hospital to find beds for patients. Constant bed shortages result in the purchasing of private beds for psychiatric patients at exorbitant prices. The closure of beds is meant to save money, but when hospitals are forced to buy private beds this makes a mockery of the policy.

Housing is yet another area where the Department of Human Services is not coming up with the goods. Following a policy decision announced by the minister last year, public housing has become welfare housing, and many people have lamented that because of the proud record that South Australia has had on public housing. It was open to everyone, and that meant that there was a reduced risk of 'ghettoisation'.

However, the government has been steadily decreasing its public housing stock (by 3 940 residences over the past six years) relying instead on the private rental market, yet the rental market in Adelaide has the lowest vacancy rate in the country. These moves appear to be philosophically driven because, not content with that record, the government in a state budget press release earlier this year detailed a \$40 million plan to build 150 new houses and upgrade 950 others. However, that press release failed to mention plans to reduce the number of Trust residences by a further 1 000 in the ensuing 12 months.

There was a rent increase for Housing Trust tenants in April which exceeded the increase in their pension making those least able to pay worse off. A housing crisis faces many families now. Last year, 11 800 people found themselves

homeless at one time or another. Recent years have seen the Housing Trust focus on debt reduction, but this has been at a cost to those people with desperate housing needs. Priority cases such as women escaping from domestic violence or people with a chronic illness are waiting up to eight months for housing. The government is simply not getting it right.

Family and Youth Services (FAYS) is another area where I as a member of parliament acting on behalf of my constituents find myself stymied over and over again—and I have heard similar comments from other MPs. I know some employees of FAYS and I have great respect for them, but there are others who test my patience to the limits. Constituents confirm the close minded nature of some of the thinking of these employees.

The group which represents foster parents in this state, the South Australian Foster Care Association (SAFCARE), has come to the end of its tether with FAYS, writing to the minister on 1 September to advise him as follows:

We regret that we cannot continue to work with yourself and FAYS as a direct result of the way in which our association is being treated and in particular the way in which our foster families continue to be treated.

After repeated requests over a long period of time, SAFCARE has not received any written information describing its role as volunteers. It is not provided any current information regarding standards of care nor of what might entail a breach of conduct. These people act on guesswork. Many carers have not been provided with a foster care manual which describes how the system works.

I can only suggest that this is to the advantage of FAYS, because it can make up the rules as it goes and exercise control over foster parents. Copies of current FAYS policies and guidelines and information about the role of a case worker and a family support worker do not appear to be routinely provided. An Alternative Care Manual of Practice has recently been put together by FAYS, yet SAFCARE was not consulted during the review process despite the fact that FAYS practices impact directly on foster families. It will come as no surprise to learn that the foster carers have not been provided with copies of this manual.

Nina Weston, President of SAFCARE, describes FAYS as being 'dangerously dysfunctional', a view with which I can only concur. I have been hearing complaints from foster parents for about five years but in the end most of them feel completely powerless and, on the whole, opt for no action to be taken. They are scared of information getting out which might identify them as stirrers because FAYS officers have threatened to take away the child or children or prevent them from fostering in the future.

An article in the *Advertiser* of 2 October this year about SAFCARE revealed that this type of intimidation by FAYS officers has resulted in a reduction in the number of families willing to foster children. It has dropped from 1 300 people in 1996 to around 700 or 800 at the present time. Such figures are hardly surprising under the circumstances of this continual unsupportive and sometimes provocative behaviour of FAYS and its representatives. Why would anyone want to subject themselves to being patronised and abused as a matter of course?

The manager of Anglicare's emergency foster care (EFC) recently resigned, disgusted with the departmental processes and alleged corruption. Although the department outsourced foster care placement, it has not been content to allow Anglicare to get on with the job of providing the service. Somehow this all sounds very much like the policy of

regionalisation which has been implemented in the hospital sector, where the Health Commission cannot keep its sticky fingers out.

FAYS began undermining Anglicare's EFC service almost from the moment the services were outsourced. This woman says she has lost faith in any working relationship with the department and suggests that, at best, there is a lack of leadership and, at worst, corruption. She says there is no understanding of alternative care and issues surrounding difficult adolescents. She describes a master-slave relationship between FAYS and Anglicare in which the EFC was threatened with having service taken away all the time, leaving staff morale low and employees not knowing whether they would have jobs. As with the hospital funding I described earlier, there was no policy direction or guidance either. The EFC was accused of not performing but given no means to do anything different. I cannot help but observe that there happens to be a certain common culture that exists as with the health services.

The mindset that I have described here seems to resolve around intimidation and proving who has the ultimate power. This is well demonstrated in a case I have been pursuing since July 1997. It involves accusations of child abuse and it is very clear that once an accusation of child abuse has been made it sticks, regardless of any evidence to the contrary. Some FAYS operatives appear to belong to the 'all men are rapists' brigade. FAYS continues to argue in this case that they are acting in the interests of the two children concerned but their determination to act in the interests of the children results in their acting against their interests.

I became involved in this case because I knew both parents prior to their separation, the point at which this case took off. I have learnt a great deal about FAYS practices in the process. It was initially difficult for me to believe this man's protestations of innocence. I am a feminist and believe that the ultimate crime is that of sexual abuse of children. What has been interesting for me to observe is that so many men who have such allegations made against them have no-one to argue for them against the system. In the past 10 months I have written at least 15 letters to the Minister for Human Services about this case and I have gained minimal satisfaction. The bulk of those letters still awaits a reply.

Earlier this year the member for Torrens, Robyn Geraghty, got a verbal undertaking from the minister that if she and I wrote to him the matter would be referred to the Ombudsman. We did: and he did not. I have, via telephone and in writing, asked on a number of occasions for an appointment to speak with the minister about this case and to date I have not been successful in obtaining that appointment. So, if I am having this difficulty how would an ordinary person, wrongly accused, find his way around the system?

On 23 August I was told by ministerial staff that the minister was likely to recommend a senior review of the case. I wrote the next day seeking some clarification and some undertakings about the process of a senior review. A reply has not been received, nor has a senior review eventuated. The two children of this marriage continued to live with their mother following partisan involvement of FAYS to banish the father from the family home during which time the speech of the then one year old child did not evolve and the mother failed to keep appointments with a speech therapist, nor had she toilet trained her daughter up until the time she was placed in foster care at three years of age.

On a number of occasions since then, when the children have had access visits to their mother, they have returned to

the foster parents with head lice reinfestation. Is this not a form of abuse of those children? It has been demonstrated and it has recurred but this form of abuse appears to be okay, yet an accusation of sexual abuse against the father which FAYS has not been able to prove has been used against the father to intimidate and provoke and used as a justification to return the three year old girl to the mother with all that will entail. I have copies of reports prepared by the FAYS office about the state of the home from which those children came, and they describe faeces and urine over the floor and clothes in every room of the house.

In fact, the teenage daughter's room could almost not be entered because of the amount of rubbish and clothes that were against the door. Even worse, that teenage girl was admitted to hospital in February of this year as a result of not passing a bowel motion since September 1998. Her mother knew there was a problem and kept the daughter at home. Ultimately, the doctors at Women's and Children's Hospital had to manually remove a mass of faeces approximately 11 centimetres in diameter and weighing five kilograms. That girl had a head lice infestation that was described by Women's and Children's Hospital as one of the worst cases they had ever seen, and it took them three lots of washing the hair with the appropriate chemical to get rid of the head lice. This is the home to which FAYS wants to return the three year old girl.

Amongst the very latest interactions between this man and FAYS has been criticism for the activities undertaken during access visits of his children. A visit to a furniture store to buy a lounge suite was not considered appropriate and he was told to make the activities more child centred. FAYS does not seem to recognise that going shopping together to choose a lounge suite is a sort of activity that normal families undertake. This father wants these once weekly visits by his children to be as near to normal as possible to that of other children.

An honourable member interjecting:

The Hon. SANDRA KANCK: Yes, they are still maintaining that position. It is beyond me that the minister, despite my 15 letters and occasional telephone calls to his office, is content to let officers in FAYS continue to wreak havoc on this family. FAYS maintains the upper hand and the minister does not appear to be willing to stand up to these petty minded bureaucrats. SAF CARE has also raised the issue of victimisation by FAYS where allegations of sexual abuse are made against foster parents, which, on a number of occasions, they describe as having been malicious or frivolous. Certainly it has been suggested to me by a social worker who has had some interactions with FAYS that they may be making up these allegations to prove their case.

Time forces me to limit the number of examples I can provide tonight of the many things that are going wrong in the super Department of Human Services. There is something seriously amiss and I can only hope that the government is both willing and able to do something about it. I support the motion.

The Hon. NICK XENOPHON: I support the motion and I welcome this opportunity to speak to the Governor's speech, and at this stage I think it is appropriate that I congratulate the Governor Sir Eric Neal and Lady Neal for the manner in which they discharge their duties. I think it is appropriate also to reflect on some of the matters raised in the Governor's speech in so far as they reflect the government's program and policies for the year. It may not surprise some members,

including the Treasurer, that I will largely confine my remarks to the issues of gambling and electricity. The Governor's speech prepared by the government reflects the need for fairness and equity in the South Australian community, that there ought to be sensible and caring outcomes for the community, and that there are issues of service delivery and economic development.

By the tone of the Governor's speech the government's program appears to reflect priorities and demands for the social and economic development of this state. I do not think any members would take issue with that. But I find particularly curious that to an ever increasing extent this government continues to rely on gambling taxes and gambling revenue, particularly from poker machines, when numerous surveys and studies, particularly the most recent draft report prepared by the Productivity Commission in its report on Australian gambling industries, clearly show that gambling taxes are regressive and inequitable.

For this government to have a commitment to fairness and equity in its approach to the people of this state while relying so heavily on gambling is particularly galling. Some 13.9 per cent of state tax receipts now comes from gambling revenue, and I believe that that will be higher because I understand that poker machine receipts are higher than initially anticipated. Members ought to be reminded of the comments made by the Premier on or about 2 June 1997, when he said in his famous 'enough is enough' speech on poker machines that he was very concerned about the level of their impact on the community. In December 1997 the Premier made some even stronger statements, backed up by statements that the Hon. Dean Brown, the human services minister, also made on poker machines. Let us reflect on what the Premier said following his 'enough is enough' speech. We now have more than 1 000 extra poker machines, despite my best endeavours and a number of people within the licensing commission—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: The Treasurer says that I am actually increasing them. What an absurd and patently pathetic statement to make! If the Treasurer is saying that I have increased them—

The Hon. R.I. Lucas: Is it true?

The Hon. NICK XENOPHON: No. I can stand here all night. If the Treasurer wants—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: No; let the record clear this up. From what he said, the Treasurer is in some way implying that I have increased the number of poker machines by virtue of my presence here. That is a pathetic statement. I think that if the Treasurer wants to play games with that he should reflect on the finding of the Productivity Commission in a very comprehensive national survey that about 24 800 South Australians have a gambling problem. The commission's national survey indicates that some 65 to 80 per cent of problem gamblers in this state—about 15 000 to 20 000 people—have problems due to poker machines. That is something that must be considered as a priority for public policy formulation. I note that we are still waiting for the government to respond to the findings of the Social Development Committee which were handed down some 14 to 15 months ago.

Since the Premier made his 'enough is enough' speech, we now have in excess of 1 000 extra poker machines in this state. Losses from poker machines in this state are approaching an additional \$100 million a year. In September, poker machine losses were in the order of \$40 to \$41 million. I

think it is fair to say that the Premier talks the talk but will not walk the walk of gambling law reform. At least the Premier has actually said something about the impact of gambling in this state, but the Hon. Mike Rann's approach to this issue is one of deafening silence in terms of his lack of contribution on this issue. I just wonder to what extent the Premier and the Leader of the Opposition have been influenced by the very powerful gaming machine lobby in this state. I really think that they are going very much against the grain of community concerns.

Reflecting on some of the findings of the Productivity Commission in its draft report, it found that 330 000 Australians, some 2.3 per cent of the adult population, have a significant gambling problem, with 140 000 experiencing severe problems. Further, it found that problem gamblers comprise 15 per cent of regular non-lottery gamblers, and make up one third of the gambling industry's market. In effect, we have a situation where this government is collecting approximately one third of gambling taxes off vulnerable and addicted gamblers. It is something that ought to concern this government and the opposition, but it seems to concern neither sufficiently.

Some 75 per cent of those surveyed believe that gambling did more harm than good. A total of 92 per cent of those surveyed did not want to see an increase in gaming machines, yet this government, despite the fine words of the Premier, is not willing to go down the path of having a cap at the very least, as a first step, on the number of poker machines in this state. That is in contrast with the official position of the Victorian Liberal Party at the last state election and, indeed, the Victorian Labor Party, in terms of caps. The Victorian Labor Party went down the path of regional caps rather than simply a statewide cap.

The Productivity Commission also said that the regulatory environment is:

... complex, fragmented and often inconsistent. There were very real deficiencies relating to informed consent for consumers of gambling products, including a lack of sufficient information about the price and nature of gambling products, the risks of problem gambling, the controls in advertising, the availability of ATMs and credit, and self-exclusion arrangements.

The commission has made it very clear that it considers that self-regulation is clearly not as effective as explicit regulatory requirements. In terms of consumer informed consent, members may wish to know what the odds are, according to the Productivity Commission, of winning on the black rhino poker machine. According to the commission, consumers could be told that if they bet one line per button push, in order to have just a 50 per cent chance of getting five rhinos, it would take them 6.7 million button presses, or in ordinary rates of playing, it would take them 188 years of playing or 391 days of absolutely continuous play 24 hours a day which, of course, we cannot have in this state because poker machines are open only up to 18 hours a day, and it would cost the punter approximately \$330 000. That is the sort of information to at least give consumers of gambling products a degree of informed consent that ought to be provided.

The commission's final report will be handed down on 26 November this year, and it will be interesting to see whether the commission revises its views as to the net economic gains of gambling based on its modelling and its analysis. The commission has made a point that it considers there is a potential benefit of from \$150 million to as high as \$5.2 billion to the Australian community, particularly in relation—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: The Treasurer says, 'Hear, hear!' Let us wait and see what the commission says in its final report. I would have thought that this Chamber ought to focus on the social impact of gambling—those who have been left behind, those whose lives have been turned upside down and the family members who have lost loved ones through gambling-related suicide, which is a growing issue according to the gambling counsellors I speak to. I have been contacted by people who have lost members of their immediate family where all the evidence points to a gambling-related suicide. That ought to be looked at. The Treasurer has commented on that previously, saying that he would like to see further information on causal links.

I would like to think that the Treasurer would be supportive of at least further research into this issue, because it is a matter of the utmost seriousness, and it is extremely tragic. When you read the suicide note, as I have done on one occasion, where there appears to be absolutely no doubt that it was due to that person's losing an enormous amount of money from gambling, and where the person had never been a problem gambler before—and in this case that person had effectively lost the family's life savings on poker machines—we all ought to be concerned. Simply looking at some consumer surplus and dry analysis on that basis is really a secondary consideration.

In the event that members wish to focus on the issue of consumer surplus, I point out that a number of submissions have been prepared by Professor Richard Blandy and Dr Anne Hawke from the University of South Australia, who estimated the impact of gambling activities in the Australian community. They have made submissions on two occasions before the Productivity Commission and I attended with them in August in Canberra. By looking at the price elasticity for problem gamblers, by re-estimating consumer surplus figures and again—

The Hon. L.H. Davis interjecting:

The Hon. NICK XENOPHON: The Hon. Legh Davis is making—

The Hon. L.H. Davis: I was just commenting on Professor Blandy's involvement.

The Hon. NICK XENOPHON: I thought the fact that Professor Blandy was involved would get a response from some government members, but Professor Blandy has a long history as a respected economist in this state. In terms of the work that both he and Dr Hawke have done, it is estimated that the annual net cost of the gambling industry to the Australian community is between \$245.3 million and \$4.361 billion. In other words, according to their submission, gambling can be only a cost to the Australian community, and that is simply looking at the issue of consumer surplus without challenging any of the assumptions made in terms of the costs to the community for gambling related divorce, suicide, business failure or bankruptcies. These issues will be tested by the Productivity Commission's economists and I wait with interest to see to what extent they accept the views of Professor Blandy and Dr Hawke, because they have done an enormous amount of work in this regard. The main factor in terms of equity and fairness ought to be the social impact on the community.

The government has also made a point of putting us on notice that there will be legislation before this Council to promote worker safety with a commercial approach. I am not sure what that means in terms of changes to workers rehabilitation and compensation legislation. It is interesting to note

that it was announced today in the *Melbourne Age* that the newly installed Bracks Labor Government has indicated—

The Hon. J.S.L. Dawkins: Bracks to the future.

The Hon. NICK XENOPHON: Bracks to the future, as the Hon. John Dawkins says. There may be something in that, given that the Bracks Labor Government is now looking at reintroducing common law rights for injured workers, which, as members no doubt know, were taken away here by the previous Labor government. This government has not been inclined to go down that path. I wait with interest to see what measures the government puts in place to promote workplace safety.

The Hon. R.D. Lawson: Kirner and Cain here we come.

The Hon. NICK XENOPHON: The Hon. Robert Lawson says 'Kirner and Cain here we come', referring to—

The Hon. L.H. Davis: Are they like musicals?

The Hon. NICK XENOPHON: Perhaps tragicomedies. To suggest that restoring a worker's common law right, a right taken away by a previous Labor government, is an invitation to financial disaster does not make sense. I am surprised that the Hon. Robert Lawson, given his impeccable reputation at the bar and no doubt all the work he has done either defending or prosecuting common law claims, takes that approach, if that is what he meant.

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: That's right, blame the lawyers.

The Hon. R.I. Lucas: Plaintiff lawyers.

The Hon. NICK XENOPHON: Plaintiff lawyers, I see. Defendant's lawyers are all right, according to the Treasurer. I am sure that the Australian Plaintiff Lawyers Association would be very interested in the Treasurer's comments about the work of plaintiff lawyers in representing injured South Australians. The Electronic Commerce Transaction Bill, which will be before the Council shortly, is obviously a response to the exponential changes to e-commerce brought about by the internet, and that dovetails with the work that a parliamentary select committee is undertaking on the whole issue of internet and interactive home gambling. There are challenges to the community to ensure that any changes to legislation and any laws that are passed to adapt to the new environment have as their primary aim a degree of equity and fairness and that people are not left behind.

On the issue of economic development, through its program the government is setting down a number of laudatory aims to put the state on a firmer economic footing and to secure growth in industry sectors, and in that context reference is made to the national electricity market and the fact that we will no longer have those risks in terms of a privatised ETSA. I note that earlier today the Treasurer considered my position on Pelican Point, which was raised in response to a question by the Hon. Paul Holloway on the electricity blackouts that occurred last weekend, to be in some way anti South Australian.

The Hon. R.I. Lucas: Yes, and pro New South Wales.

The Hon. NICK XENOPHON: The Treasurer makes an absurd statement. Let us put this in context.

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: The Treasurer is obsessed with Mark Duffy, a former adviser to the New South Wales Treasurer.

The Hon. L.H. Davis: Obsessed?

The Hon. NICK XENOPHON: Obsessed, yes, absolutely obsessed.

The Hon. L.H. Davis: That is defamatory.

The Hon. R.I. Lucas: Say that outside!

The Hon. NICK XENOPHON: I do not think it is appropriate that I get into a debate with the Treasurer as to what is defamatory and what is not.

The Hon. R.I. Lucas: Inside the chamber you can say what you like.

The Hon. NICK XENOPHON: I know but I do not think it is appropriate that I enter into that debate. Honourable members, and the Treasurer in particular, ought to be reminded that, when NEMMCO handed down its decision with respect to the Riverlink option, the decision was effectively that Riverlink was the best low cost option. It was an option on which the Premier, when he was infrastructure minister, signed a memorandum of understanding with the New South Wales government. To suggest that I am anti-South Australian for simply wanting to ensure that South Australians have access to the lowest cost electricity, to the most competitive pricing, given the new national market, is something that I find quite extraordinary. The Treasurer ought to be reminded that, in the context of Pelican Point, I have never been against a local generation option. It is a question of timing. Timing is everything. Why don't you read NEMMCO?

Members interjecting:

The Hon. NICK XENOPHON: I haven't.

The Hon. L.H. Davis interjecting:

The Hon. NICK XENOPHON: I think you're getting confused with Mr Foley. NEMMCO, in its decision—

The Hon. L.H. Davis interjecting:

The Hon. NICK XENOPHON: If the Hon. Legh Davis has the courtesy of simply listening, I would like to remind him that NEMMCO was of the view that, in terms of delivering the optimum benefit and the best economic outcome with respect to the cost of generation options, the first choice would be to have an interconnector with New South Wales, secondly, down the track that the Hayward interconnector be augmented and, thirdly, to have a local generation option. So I am not against a local generation option. It is a question of the sequence and the way that it is maximising the benefits to consumers of electricity in this state. I have said privately to the Hon. Legh Davis that I hope that I am wrong. I hope that, in years to come, South Australia does have cheap competitive power to attract industry in this state, and I am more than happy to invite the Hon. Legh Davis, when he is no longer a member of this place—assuming I am still here in three or four years—to lunch if I am in some way wrong.

The Hon. L.H. Davis: What would a No Pokies lunch be like?

The Hon. NICK XENOPHON: Obviously, the Hon. Legh Davis is not interested, so I rescind the invitation. I hope I am wrong. I hope that businesses in this state, both large and small, and the consumers of electricity in this state get a good deal from our participation in the national electricity market and get a good deal in the context of decisions made by this government in terms of the sequence of generation options. However, given that NEMMCO has stated its preferred sequence for an optimum outcome of an interconnector with New South Wales, secondly, an augmentation of the Hayward interconnector and, thirdly, local generations options, I am not optimistic. But, of course, the markets will tell us who is right and who is wrong, and on this occasion I hope I am wrong, because South Australian businesses deserve cheap, competitive power, so that we can compete with the eastern states. That, to me, is the crux of the

issue. I will be more than happy in the next few years if I am wrong on this issue, if the market says otherwise, to get up in this Council and say so. However, given the frustration from members of the business community (some members to whom I have spoken recently have indicated frustration at not being able to obtain competitive quotes from ETSA), there are some very real areas of concern. No doubt the Treasurer is looking at that, and I hope that we can go down a path where businesses' concerns are dealt with adequately.

Before I conclude, I would just like to reflect on the issue of heavy interest payments on debt, and clearly the issue of debt is an important one. I previously said in this Council that I wish the Treasurer well. I have said to him privately that I hope this government gets a good price for the sale of the electricity assets. I say that with one caveat: it ought to be in the context of the competitive national market. If we get top dollar but it is in the context of a constrained market, and the consumers of this state are condemned to paying, effectively, a GST—a generator sales tax—that is something that will hamper economic development in this state. But, obviously, time will tell—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: Yes. I appreciate the Treasurer's interjection in terms of what the ACCC's involvement is in the context of the competitive market, and I say in all sincerity that I hope that the outcome in the long term is one of a good price for the assets but also that consumers get the best possible deal from the competitive market. I support the motion.

The Hon. R.I. LUCAS (Treasurer): I thank honourable members for their contributions. Given the hour, and the fact that the Hon. Mr Gilfillan has been waiting patiently to deliver two erudite contributions on two important pieces of the Attorney's legislation before he turns into a pumpkin at 12, I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

LOCAL GOVERNMENT (IMPLEMENTATION) BILL

Received from the House of Assembly and read a first time.

The Hon. K.T. GRIFFIN (Attorney-General): On behalf of the Minister for Transport and Urban Planning, I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill follows from the historic passage by this Parliament of the *Local Government Act 1999* and the *Local Government (Elections) Act 1999*. It contains the transitional provisions and the consequential repeals and amendments necessary to bring the new Local Government Acts into operation on the 1 January 2000 as planned.

This Bill contains the provisions necessary to ensure the continuity of councils and council business in the transition to the 1999 Local Government Acts. It repeals some specific Acts, the purposes of which are covered in the *Local Government Act 1999*, repeals those provisions of the *Local Government Act 1934* which are replaced or made redundant by the new Local Government Acts, makes amendments to various Acts which are consequential on the new Local Government Acts, and provides for the repeal, as and when appropriate, of remnant provisions of the *Local Government Act 1934* which are necessary to retain for the time being.

A Statutes Repeal and Amendment (Local Government) Bill lapsed at the close of the last session. This Bill contains only those

provisions of the lapsed Bill which are necessarily required to implement the new Local Government Acts. A companion Bill to this Bill – the Statutes Amendment (Local Government) Bill – contains the balance of the provisions of the lapsed Statutes Repeal and Amendment (Local Government) Bill acceptable to the Government. The Statutes Amendment (Local Government) Bill repeals further provisions of the 1934 Local Government Act covering matters which, under that Bill or under the Road Traffic (Road Rules) Amendment Act 1999, are incorporated in specific State Acts covering the field.

The introduction of two Bills – this Bill and the Statutes Amendment (Local Government) Bill 1999 reflects the dual nature of this stage of the legislative reform process – being (1) the implementation of the new Local Government Acts (effected by this Bill); and (2) the further reform and rationalisation of the statute book as it relates to the local government sector (effected by the other Bill).

All of the provisions in this Implementation Bill had been agreed to by all parties at the stage reached by the lapsed Bill, with little or no question or debate. No new implementation provisions have been added. No changes have been made to the provisions in this Bill since they were last before Parliament, except that some by-law making powers are now not to be repealed. This is because it will assist Councils' transitional process in relation to by-laws if these powers, such as powers authorising by-laws concerning nuisance or good government, remain for the time being in the remnant 1934 Act.

Preparation for the commencement of the 1999 Local Government Acts is a massive administrative task for Local Governments, State agencies, and statutory authorities such as the Electoral Commissioner. It is well underway. However, a great deal of work must still be undertaken in a relatively short time and it is critical that the legislative certainty provided by this Bill is in place at the earliest opportunity.

The Government is therefore confident that Parliament will now ensure that Local Government commences the new millennium with new Local Government Acts by approving this technical measure quickly and decisively.

I commend this Bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will come into operation by proclamation.

Clause 3: Interpretation

This clause sets out the definitions required for the purposes of the measure. In particular, 'relevant day' is defined as a day appointed by proclamation as the relevant day for the purposes of the provision in which the term is used.

Clause 4: Acts repealed

It is proposed to make provision for the repeal of the *Klemzig Pioneer Cemetery (Vesting) Act 1983* (now to be dealt with in schedule 8 of the 1999 Act), the *Public Parks Act 1943* (now redundant) and the *Reynella Oval (Vesting) Act 1973* (now to be dealt with in schedule 8 of the 1999 Act).

Clause 5: Amendment of City of Adelaide Act 1998

It is proposed to amend the *City of Adelaide Act 1998* in order to provide consistency between that Act and the initiatives in the new *Local Government Act 1999*.

Clause 6: Amendment of Local Government Act 1934

This clause makes consequential amendments to the *Local Government Act 1934* in view of the enactment of the *Local Government Act 1999* and the other provisions of Part 3 of this measure.

Clause 7: Amendment of Pulp and Paper Mills (Hundreds of Mayurra and Hindmarsh) Act 1964

This amendment makes special provision for a cross-reference to the 1934 Act.

Clause 8: Amendment of Real Property Act 1886

This amendment is connected with the repeal of Division 3 of Part 17 of the 1934 Act.

Clause 9: Amendment of Roads (Opening and Closing) Act 1991
This amendment up-dates relevant definitions.

Clause 10: Amendment of Survey Act 1992

This amendment is connected with the repeal of Division 3 of Part 17 of the 1934 Act.

Clause 11: Amendment of Water Resources Act 1997

These amendments make special provision for cross-references to the 1934 Act.

Clause 12: Constitution of councils

All councils, council committees, areas and wards are to continue as if constituted under the 1999 Act. All persons holding office (other than returning officers) under the 1934 Act continue to hold office under the 1999 Act.

Clause 13: Structural proposals

Proceedings commenced under Part 2 of the 1934 Act may continue and be completed as if this Act had not been enacted.

Clause 14: Defaulting councils

This clause provides for the continuation of a proclamation in force under Division 13 of Part 2 of the 1934 Act.

Clause 15: Delegations

Delegations will continue to have effect on the enactment of the new legislation.

Clause 16: Registers and codes

Existing registers and codes will continue under the 1999 Act. All members of councils elected at the May 2000 elections will be required to lodge a primary return for the purposes of the Register of Interests under the 1999 Act.

Clause 17: Allowances

This clause will enable allowances payable to elected members to be fixed under the 1999 Act. It will be possible to back-date increases in allowance to 1 July 1999.

Clause 18: Staff

Current processes relating to staff will continue under the 1934 Act.

Clause 19: Elections

Electoral processes will continue under the 1999 Electoral Act, other than where an extraordinary vacancy exists in the membership of a council and a day has already been appointed for the nomination of persons as candidates.

Clause 20: Investments

Existing council investments are not affected by new provisions under the 1999 Act.

Clause 21: Auditors

Any auditor who is qualified to act under the 1934 Act but not so qualified under the 1999 Act may nevertheless continue until 30 June following the relevant day.

Clause 22: Assessment book

The assessment book will become the assessment record under the 1999 Act.

Clause 23: Rates

This clause makes specific provision for the continuation of rating processes.

Clause 24: Single council controlling authorities

Existing section 199 controlling authorities will generally become committees under the new Act. However, a council will be able to apply to the Minister to continue an authority as an incorporated subsidiary under the new Act.

Clause 25: Regional controlling authorities

Existing section 200 controlling authorities will continue as regional subsidiaries under the new Act.

Clause 26: References to controlling authorities

A reference to a controlling authority in another Act will be taken to be a reference to a subsidiary under the 1999 Act.

Clause 27: Water reserves

A grant of a water or other reserve will continue as a grant under section 5AA of the *Crown Lands Act 1929*.

*Clause 28: Evidence of proclamations**Clause 29: Evidence of appointments and elections**Clause 30: Evidence of resolutions, etc.**Clause 31: Evidence of making of a rate**Clause 32: Evidence of assessment record**Clause 33: Evidence of constitution of council, appointment of officers, etc.*

These clauses facilitate the evidence of certain matters, consistent with the provisions of the 1934 Act.

Clause 34: Local government land

This clause provides for the continued holding and management of local government land and makes special provision in relation to certain land that might otherwise continue as community land under the 1999 Act. The new legislation will not affect the term of a lease under Part 45 of the 1934 Act.

Clause 35: By-laws

This clause enacts special transitional provisions relating to by-laws.

*Clause 36: Contracts and tenders policy**Clause 37: Public consultation policies**Clause 38: Code of conduct—members**Clause 39: Code of conduct—employees**Clause 40: Strategic management plans**Clause 41: Annual reports*

These clauses provide for the 'phasing-in' of various requirements under the 1999 Act.

Clause 42: Orders

A council will be able to make an order under Part 2 Chapter 12 of the 1999 Act in respect of a circumstance in existence before the relevant day.

Clause 43: Grievance procedures

This clause provides for the 'phasing-in' of Part 2 Chapter 13 of the 1999 Act.

Clause 44: Reviews initiated by Minister

The Minister will be able to act under Part 3 Chapter 13 of the 1999 Act in respect of a matter arising before the relevant day.

Clause 45: General provisions

The Governor will be able to provide for other saving or transitional matters by regulation.

Clause 46: Further repeal—Local Government Act 1934

The Governor will be able, by proclamation, to suspend the repeal of any provision, to effect further repeals with respect to the *Local Government Act 1934*, and to repeal the *Local Government Act 1934* (if or when it is appropriate to do so).

The Hon. P. HOLLOWAY secured the adjournment of the debate.

SOUTH AUSTRALIAN HEALTH COMMISSION (DIRECTION OF HOSPITALS AND HEALTH CENTRES) AMENDMENT BILL

Received from the House of Assembly and read a first time.

TRANSPLANTATION AND ANATOMY (CONSENT TO BLOOD DONATION) AMENDMENT BILL

Received from the House of Assembly and read a first time.

CITIZENS' RIGHT OF REPLY

Adjourned debate on motion of Hon. K.T. Griffin:

That during the present session, the Council make available to any person who believes that he or she has been adversely referred to during proceedings of the Legislative Council the following procedure for seeking to have a response incorporated into *Hansard*—

I. Any person who has been referred to in the Legislative Council by name, or in another way so as to be readily identified, may make a submission in writing to the President—

- (a) claiming that he or she has been adversely affected in reputation or in respect of dealings or associations with others, or injured in profession, occupation or trade or in the holding of an office, or in respect of any financial credit or other status or that his or her privacy has been unreasonably invaded; and
- (b) requesting that his or her response be incorporated into *Hansard*.

II. The President shall consider the submission as soon as practicable.

III. The President shall give notice of the submission to the member who referred in the Council to the person who has made the submission.

IV. In considering the submission, the President—

- (a) may confer with the person who made the submission,
- (b) may confer with any member, but
- (c) may not take any evidence,
- (d) may not judge the truth of any statement made in the Council or the submission.

V. If the President is of the opinion that—

- (a) the submission is trivial, frivolous, vexatious, or offensive in character, or
- (b) the submission is not made in good faith, or
- (c) there is some other good reason not to grant the request to incorporate a response into *Hansard*,

he shall refuse the request and inform the person who made it of his decision. The President shall not be obliged to inform any person or the Council of the reasons for his decision.

VI. Unless the President refuses the request on one or more of the grounds set out in paragraph V of this resolution, the President shall report to the Council that in his opinion the response in terms agreed between him and the person making the request should be incorporated into *Hansard* and the response shall thereupon be incorporated into *Hansard*.

VII. A response—

- (a) must be succinct and strictly relevant to the question in issue,
- (b) must not contain anything offensive in character,
- (c) must not contain any matter the publication of which would have the effect of—
 - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy in the manner referred to in paragraph I of this resolution, or
 - (ii) unreasonably aggravating any adverse effect, injury or invasion of privacy suffered by any person, or
 - (iii) unreasonably aggravating any situation or circumstance, and
- (d) must not contain any matter the publication of which might prejudice—
 - (i) the investigation of any alleged criminal offence,
 - (ii) the fair trial of any current or pending criminal proceedings, or
 - (iii) any civil proceedings in any court or tribunal.

VIII. In this resolution, 'person' includes a corporation of any type and an unincorporated association.

(Continued from 19 October. Page 109.)

The Hon. M.J. ELLIOTT: I support the motion, as I did in the previous session. I believe that this protection, if we call it that, to people who may be attacked under privilege is a reasonable one. It does not give carte blanche to people to go on their own attack but simply gives them a chance to set the record straight as they see it. We expect that it will not be used very frequently, and we found in the last session that the only people who sought to use it in this place were people who had a very longstanding grievance. To the best of my knowledge, nobody else had come forward in the previous session. That probably gives us a fair indication that not many people will come forward.

Following the experience of that one application, I am not sure whether we have the wording of this quite right, but I am not suggesting amendment at this stage, merely raising the issue. I think that there may be times—and I suppose the President can do it but I do not think that it makes it explicit—when the President might feel that the particular submission being made is not acceptable but that it is capable of being made acceptable.

In fact, when I was shown the original letter that had been written by the former employees and board members of the Christies Beach Women's Shelter, I said to them that there were a couple of very short sections in there, which probably amounted to a total of about 10 words, that I believed went just beyond the bounds and perhaps actually reflected upon members or former members of this place. Clearly, that is outside the bounds of what is anticipated here. It would have been quite reasonable for the submission to be knocked back on those grounds, but it would also be reasonable to offer the chance to come back with some changes.

As things currently stand, of course, one person and one person alone will make a decision about whether or not the submission fits into these rules. Indeed, when the submission was refused during the last session there was no objection from the floor of this place, because we had no way of

knowing what the submission said nor any real way of knowing the grounds of refusal, although my recollection was that the President did give some explanation by talking particularly about the age of the complaint. There is no requirement within section V of this motion that information be given: in fact, the reverse is true. Section V states:

The President shall not be obliged to inform any person or the Council of the reasons for his decision.

I wonder whether that does not perhaps deserve a little more exploration so that when submissions are refused we at least have some idea why. As I said, on the last occasion the President did give some reasons, and I hope that that will become the rule. With those observations, the Democrats support the motion.

The Hon. K.T. GRIFFIN (Attorney-General): I thank honourable members for their indications of support for the resolution. It has had only a rather brief period in existence. I know that it was tested once in the last session. I, too, have been tempted to consider one or two refinements but have taken the view that we ought to leave it in place as it is and to see how it works in practice. As the Hon. Mr Elliott said, I do not think it will be used very much but, nevertheless, it does provide rights. We can look at it at the end of the session next year, or we can make some modifications as we go along if we need to: there is nothing to stop us from doing that during a session. There will be an opportunity for me to comment tomorrow or on some other Wednesday about the specific issue to which the Hon. Mr Elliott referred, the Christies Beach Women's Shelter.

I do not intend to spend a lot of time on that when I do actually make my contribution, but in that particular case, it must be remembered, the women did have more opportunity than merely presenting a statement in the Council through the President to put their case through a select committee. I know that that was a very difficult period for them. I have had some involvement since then in respect of resolving legal action since we came to office in 1993 and helping them to put an end to a very difficult era in their lives. We must remember that they were given an opportunity which is rarely afforded to most people who are aggrieved, that there was in fact a select committee, that they did have an opportunity to present a statement and evidence, and that that was on the public record and tabled as part of the proceedings of the Council. We can deal with that in more detail later.

I believe that the sessional order is an appropriate one. As we see how it works in practice, we will ensure that it works as it is intended to work, that is, as a means by which those who might be defamed or prejudiced by statements made in this Council might find a solution which is not possible outside the chamber.

Motion carried.

OFFICE FOR THE AGEING (ADVISORY BOARD) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 October. Page 116.)

The Hon. IAN GILFILLAN: The Democrats support this very simple bill. The Office for the Ageing Act (section 8) provides for an advisory board to 'advise the minister, either on its own initiative or at the request of the minister, on issues relating to the ageing'. At present the act specifies that the advisory board consist of 'not less than three, and not

more than six persons with relevant expertise'. The bill seeks to change this to 'not less than six, and not more than 10'. This appears to increase the number of people advising the minister but the reality is the opposite.

Apparently, to judge from the minister's second reading explanation, the government intends to reduce the number of people who are offering advice to the minister on issues relating to ageing. The newly expanded advisory board is intended to replace entirely two other advisory bodies: the Older Persons Health Council and the Continuity of Care. Casemix and Older Persons Advisory Committee are both heading for the chop. Instead of getting advice from three representative groups the minister will soon be getting advice from merely one, albeit a committee which, by this bill, will have an increased membership.

Apparently, the minister believes this will improve the quality of advice he receives. However, many people with whom I am dealing in the area of retirement villages believe that the minister is already receiving official advice from too few people, or perhaps just the wrong sort of advice. However, we welcome this bill which, on its face, seeks to increase the range of expertise and views expressed on this statutory advisory committee. However, we view with concern the government's intention to close the minister's door to exclude others from offering comparable advice on relevant issues.

An amendment of the Hon. Carmel Zollo is on file. It is a matter which, in our view, marginally improves the effectiveness of the committee. A letter of support from COTA signed by the Executive Director (Ian Yates) and addressed to the minister (Hon. Robert Lawson) really clinches it as far as we are concerned. I would expect that we will have a quick and unanimous supportive process for this bill through the chamber. The Democrats support the second reading and the subsequent procedures.

The Hon. A.J. REDFORD secured the adjournment of the debate.

THE CARRIERS ACT REPEAL BILL

Adjourned debate on second reading.

(Continued from 20 October. Page 154.)

The Hon. IAN GILFILLAN: The Carriers Act 1891 is a quaint relic of a statute. On reading it, it is difficult to imagine the last time that it would have been relied on in the course of day-to-day business in this state. It makes gently entertaining reading for those members who have nothing better to do, listing as it does all sorts of fascinating possessions which will not be covered for liability for loss over a value of \$20, which is included in the actual text of the act.

As I say, it remains as an oddity, an item of curiosity rather than effective legislation. In his second reading explanation, the Attorney-General observes that there are probably very few, if any, common carriers in South Australia. I imagine that there are even fewer stagecoach proprietors who lie awake at night wondering how they are affected by the Carriers Act. Mail contractors no doubt have their liability more appropriately covered by commonwealth legislation relating to Australia Post.

The Democrats see no need to hang on to the relics of the 1890s in our statute books unless they serve some useful purpose. It is quite clear that this statute does not. However, as a little mental legal arithmetic for the Attorney-General, a minor piece of homework for him or his staff, I note that the final section of the Carriers Act 1891 repeals an Act of the Imperial Parliament II George IV and I William IV, chapter 68. I ask the Attorney: if we repeal the Carriers Act does that mean that this imperial act is then revived in South Australia? If so, what effect, if any, will that have? The Democrats support the second reading.

The Hon. CARMEL ZOLLO secured the adjournment of the debate.

ADJOURNMENT

At 11.08 p.m. the Council adjourned until Wednesday 27 October at 2.15 p.m.