

HOUSE OF ASSEMBLY

Thursday 1 April 2004

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

ANANGU PITJANTJATJARA LANDS

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I seek leave to make a personal explanation to the house.

Leave granted.

The Hon. DEAN BROWN: During the grievance debate yesterday, when I was grieving on the AP lands, in my very final sentence, as I was being sat down by the Deputy Speaker, I truncated the last sentence and, in doing so, inadvertently—because it did not reflect the rest of my speech—put the blame for the deaths of the four people on the AP lands onto the shoulders of the Deputy Premier. The Deputy Premier and I had a discussion about that. When I realised the problem, I went to Hansard and asked for it to be corrected. The correct version is there in the *Hansard*. I would like to just read that to the house, as corrected. It states:

The blame lies entirely with them. If the Deputy Premier feels strongly about this, he should stand up and accept the blame for the delays which caused the five deaths and eight suicides that have occurred—

I might add that, I think, in all the noise that occurred at the time, even Hansard incorrectly reported what I did say. Hansard initially showed six deaths, and that is not what I was saying. I accept the responsibility for the mistake. I apologise to the Deputy Premier. I will draw it to the attention of *The Advertiser*, because I notice *The Advertiser* used the original quote. So, I want to make sure that *Hansard* accurately reflects what I was intending to say.

The Hon. K.O. FOLEY (Deputy Premier): I accept the explanation and simply thank the deputy leader for the good grace with which he has just apologised.

The SPEAKER: What is the Deputy Premier saying?

The Hon. K.O. FOLEY: I just wanted to take the opportunity by way of a personal explanation, if I am stretching standing orders, to thank the Deputy Leader of the Opposition for having the good grace to apologise.

The SPEAKER: I am sure the house appreciates the fact that we are, with one another, still civil enough, unlike some other countries and similar legislatures, to talk to each other and to resolve quarrels. Indeed, civil enough to recognise that, when we are having quarrels, they are quarrels, that they are undesirable, and that they ought to be resolved. No-one here has got to bashing anyone over the head or shooting anyone, at least not in my knowledge of the proceedings of this parliament. I cannot say the same for every other parliament on this continent.

ADELAIDE FESTIVAL AND FRINGE

Mr HAMILTON-SMITH (Waite): I move:

That this house commends—

(a) the Adelaide Festival Board, chairman Ross Adler and artistic director Stephen Page for the outstanding success of the 2004 Adelaide Festival; and

(b) the Board of the Adelaide Fringe, chairperson Margie Andrewartha and artistic director Karen Hadfield for jointly delivering an outstanding complementary program.

This motion congratulates the Adelaide Festival Board, chairman Ross Adler and artistic director Stephen Page for the outstanding job they did on the Adelaide Festival, and it also congratulates the Board of the Adelaide Fringe and the artistic direction of the Adelaide Fringe for the outstanding complementary program they ran. The house should acknowledge that this festival was, indeed, a marvellous success.

The program put together by artistic director Stephen Page was truly outstanding. It was a creative and very dynamic program but, in essence, it was a program that got back to the fundamentals of what the Adelaide Festival is all about: that is, promoting Adelaide as a home for the arts, and showcasing Australian artistic talent while also bringing in talent from overseas to complement that Australian program. In fact, we enjoyed an absolute feast. Stephen's personal commitment to the festival in the most trying of circumstances over the past one to two years is a credit to him, and I think that the result he achieved should be warmly recognised not only by the house but also by the community at large.

As I said, it was an outstanding program. *The Overcoat* performance from 2 to 6 March was one of the highlights, but of course *First Night* at the Royalty Theatre and *Gulpilil: His Exploration*, 11 and 12 March, were similarly fantastic. *Night Letters* by the State Theatre Company was also an outstanding achievement; I quite enjoyed it, although I thought that it was a bit long. It was quite an epic—I think it finished just before midnight—but it was indeed a fine production in the wonderful Queens Theatre that the state has resurrected and put back into service. I also mention *Riverland*, *Body Dreaming*, *12 Angry Men*—which was well supported by the public—*The Blue Show*, and *Conjunto di Nero*. The *Ballet Nacional de Espana* put on an absolutely fantastic performance, and one which, of course, was impassioned by the tragic events—the stunning terrorist attack on a Madrid train that was so tragic and so sad—that occurred as they were performing, and which no doubt upset many members of the company. Nevertheless, they worked on through that challenge to perform one of the finest ballets that we have seen in Adelaide this year.

The *Bangarra Triple Bill* was a fantastic achievement—it really complemented Stephen's theme of reconciliation and of joining together that was so prominent during the festival. The Australian Dance Theatre premiered its new work *Held*, which I thought was an absolute joy. It was an amazing exploration of the camera and live dance—it really was something. I image that when it tours internationally it will be well received, and it was a credit to the Australian Dance Theatre and to the festival, which had a very strong dance program. That is a bit of a passion of mine, and I was pleased to see that it was so prominent—not surprising, of course, from Stephen Page given his outstanding accomplishments in the field of dance in years past. It was a testament to the fact that the ADT is a fine arts institution in this state.

We had a kaffuffle with the ADT in the past couple of budgets as the government tried to cut its funding, and it has cut its funding quite significantly. I hope that the government sees now that this is a really worthwhile arts group which is worth supporting and of which we should be proud. The Prague Chamber Orchestra was absolutely fantastic. From the moment it began its performance it was clearly a stunning

international achievement. There were so many other performances—far too many to mention.

Of course, I mention the Universal Playground at the Torrens Parade Ground. I was there yesterday. It was a fantastic venue, which was really well supported. There was a queue at the venue every night. I know that when I attended a couple of times I had to wait quite a while to get in. It was very well supported. The Beethoven Songline Series was part of a very strong musical program. The ASO worked flat out. Acts such as Ivan Rebroff, Echo of Songs and the Fiddlers Festival all came together; and WOMAD, held right in the middle of the festival, I think, turned out to be successful. We all know that we were paying a penalty not to run WOMAD annually. It was costing us money not to run it.

The opposition supported the annualisation of that event. There was concern that the numbers might not be there. I think, though, that those concerns proved to be baseless. The event was well supported. It had a strong ticket program and, in the fullness of time, I look forward to seeing the full financial reports for both WOMAD and the Fringe so that we can analyse their economic impact. It was a good synergy and, I suspect, the results will be there once they are fully known. Adelaide Writers' Week was simply stunning. It was a feast of the mind. It was terrific to see so many writers communicating with South Australians and others who attended the festival.

They were able to communicate their ideas, to listen to people and to answer questions. It was just a fantastic exercise. In fact, during the presentation of awards, which I attended, there was one embarrassing moment for the Premier when a recipient of an award proudly wore the green badge of the Arts Industry Council, which, of course, concurrently with the festival, was running its protest and campaign calling on the government to put an extra \$2 million into programs for the commissioning of new work by South Australian artists through the independent development at the Carclew Arts and Youth Centre programs, and in other places.

Essentially, the awardee blasted the Premier for not putting enough money into the arts. I must say that I completely agreed with that person. In fact, a motion is before the house, which I look forward to the Attorney contributing to.

The Hon. M.J. Atkinson interjecting:

Mr HAMILTON-SMITH: The Attorney protests and says that we should not spend more money on the arts. Clearly, the Attorney is not a supporter of the arts: he is against extra funding. If that is the case, I suggest that he speaks to the motion that is sitting on the *Notice Paper* and states the reasons why he feels that arts funding should be further cut. The Attorney is clearly a strong advocate in cabinet against further arts funding. There was further good news during the festival in regard to the visual arts program, which was also very successful. The Art Gallery of South Australia was quite busy.

The Talk it Up country program was very successful. It all simply came together. The sponsors should be congratulated, particularly the Adelaide Bank because it is the bank's festival. I also congratulate Telstra and the council. There are far too many sponsors for me to mention today but, without their financial and moral support, the festival simply would not happen. It was a terrific effort from those sponsors. I make special mention of Ross Adler who chaired the board. I think that Ross's board asserts commonsense and fiscal responsibility with respect to the way in which things are done.

There was quite a bit of bashing during the festival by the Premier and others of the previous festival, and in some cases with good cause. We all know the history of it. The former artistic director quit the job in the lead-up to the festival. He was a very controversial artistic director. It is not the first time it has happened in festivals. There has been controversy and excitement previously.

Sometimes when you take risks, you run the risk of something going off the rails, and it certainly did in that case with Peter Sellars. It simply was not as bad as it was being portrayed by the government. There was an effort to portray the previous festival under the Liberals as a catastrophe, but, 'Isn't this festival great? Aren't we fantastic? Look at the good job we have done.' It is good to play politics with this, I suppose, if you are the government. You try to play politics with the arts and try to make yourself look good at the expense of others. The reality is that there were problems with the previous festival and its artistic director—as there would have been with this festival if anything had happened to its artistic director because, if he had quit the job, there would have been problems as well. I think that the arts community is mature enough to understand that.

There is a total commitment to the festival from the Liberal Party. We have nurtured it; we developed it when we were in government; it is something that all South Australians love; and it is a bipartisan undertaking. This festival was a fine example of what has been achieved after more than 30 years of development. All who were involved should be thoroughly congratulated.

Of course, it did not happen on its own. It was accompanied by an outstanding Fringe Festival. All involved with the Fringe need to be congratulated, and particularly the artistic director, Karen Hadfield, and the chairperson, Margie Andrewartha, who did an amazing job in bringing together what was an extremely demanding and diverse program. The Fringe Hub at the University of Adelaide went very well. The Fringe Lounge was a successful new idea which went very well. Sincere thanks—not only from the house, but also from all South Australians—need to go to everybody involved on the board and for the artistic direction of the Fringe. It was a tireless effort. The CEO, Jodie Glass, needs a big pat on the back along with the city council for all the effort it put in.

It was, as I said, an extremely diverse program—there was a little of everything in the Fringe. There were live performances, comedy acts, visual arts—all sorts of odd programs occurring all over the city. It was absolutely fantastic. FringeTix did a pretty good job. We had a couple of calls from people on the first weekend who were a bit concerned because when they rang they could not get through to make a booking. I understand that those problems were quickly sorted out, and a lot of the performances were well supported. I look forward to seeing the financial results of the Fringe, because I expect that they will be very strong. I note that, in previous years, the Fringe has reported extraordinary outcomes generating a turnover of over \$15 million for the South Australian economy and attracting audiences of almost 900 000, which has a significant impact on tourism, restaurants, and hotels—the whole gamut of infrastructure that exists to support visitation associated with the Festival of Arts and the Fringe.

In previous years, over 80 per cent of people who have attended the Fringe have been from Adelaide, but nearly 20 per cent have been visitors from interstate, intrastate and overseas. The statistics in relation to bednight stays for international and intrastate tourists are in a shocking state, but

the Fringe Festival and the Festival of Arts together have contributed to sorting that out. Apparently, the average length of stay during the festival is over 11 nights. I really look forward to seeing the financial results of the Fringe but, in artistic terms, we can be pleased that it was a varied and artistically creative program.

There were acts that have been here frequently in the past and there were a lot of new acts. Getting that balance right is always going to be a challenge for the artistic director. Each year we see quite a different Fringe to the previous year. It is not only that; it is the jobs as well. I noted that *The Advertiser* reported that more than 200 people had been given a head start in the arts industry as a result of the Fringe and that the biannual event had created 200 part-time and full-time jobs in areas of production, technical, box office, front of house and casual positions. Apparently, the majority of these jobs were recruited by Hender Consulting, and about 20 people secured contract positions for management and specialist roles.

So, all of this creates jobs and improves Adelaide's profile. It is worthwhile funding, even though the Attorney does not think so. It is worth supporting, even though it is a cost to the taxpayer. WOMAD, the Festival and the Fringe together have this year delivered an outstanding success for South Australia. We look forward to the next Fringe: it will be a hard act to follow. Well done Stephen Page and Ross Adler for keeping the Festival on track financially; the same to the Fringe board. It is good to see a fiscally responsible and artistically creative Festival and Fringe: we are all very proud of you.

Time expired.

The Hon. J.D. HILL (Minister Assisting the Premier in the Arts): The government is pleased to support the motion moved by the member for Waite. Before and during the 2004 Adelaide Festival of Arts, a number of negative comments were made about the number of Festival event activities for this year. It would be fair to say that the government was disappointed with that negativity.

Mr Hamilton-Smith interjecting:

The Hon. J.D. HILL: I was not suggesting that but saying that generally there was negativity, which is part of the Adelaide syndrome. It is important to acknowledge the tremendous work done by the Festival, the Fringe and WOMAdelaide over that three week period that we celebrate every couple of years in this city and state.

I will spend some time informing the house of the outstanding success of the recently completed Festival, including Writers' Week, WOMAdelaide and the Fringe Festival. At the completion of these festivals, South Australia once again can claim to be the cultural powerhouse of Australia.

The Adelaide Bank 2004 Festival of Arts has been a triumph and in many measures one of the best yet. As an attender of festivals now for 30-odd years I can attest to that. Stephen Page, who did an outstanding job as director, has restored the Festival to full health, and its success provides it with a bright future. Ross Adler, his board and the team around Stephen should share those remarks of congratulations.

The Festival met its box office target over a week before it opened and went on to post an additional 40 per cent box office revenue above the target. The ticketed events were strongly patronised across the board, with the Festival enjoying over 60 sold out performances and many others with

over 80 per cent capacity. To date the Festival generated box office is \$3.45 million, representing over 86 000 tickets sold—triple that of 2002 and comparing very favourably with 2000 and earlier festivals. Interstate visitation increased over 2002, with an estimated 18 per cent of tickets purchased by people living outside South Australia.

As the country's pre-eminent arts Festival, the Adelaide Festival makes a major contribution to the development of Australian artists. It is a major economic contributor to the state, due to the large number of incoming artists, visitors and conference delegates. Overall attendances, while still being compiled, appear to be in excess of 290 000. It is expected that the Festival will post a modest surplus—an outcome achieved only once in the past 10 years.

The program was met with a tremendous response from audiences and critics, and media coverage around the country has been extremely positive. The return to health has also been reflected in the investment in the Festival by the corporate sector, which has increased 40 per cent against 2002. I place on record our thanks to the sponsors for their support.

Writers' Week, a great Adelaide institution and one of the highlights of any Festival, revelled in 104 000 attendances. I know the member for Norwood was there—

Ms Thompson: Despite the fact that it was 700 degrees!

The Hon. J.D. HILL: I do not know that it was 700 degrees, but it was quite hot. The member for Norwood was a regular attender, and those 104 000 attendances also included the two evening sessions. Book sales over the week were up 20 per cent from 2002, with all profits going back into Writers' Week.

The run of Artists' Week was met with much excitement and attracted over 40 000 people during the week. While final figures are still being compiled, many galleries reported that they have had more people through the door in the past two weeks than their total attendances for the previous year. Many of the forum sessions were filled to capacity, and the Festival will be seeking larger venues in 2006.

I will comment briefly on the architecture symposium which was held as part of Artists' Week and which was sponsored by my Department of Environment and Heritage. I was very keen to establish a regular discussion about architecture and design in an urban context, particularly focusing on heritage and sustainability issues. I was very pleased by the quality of that contribution to the Festival and the tremendous response it generated. Unfortunately, we had to turn away many people at the door, and we are looking at how we can do it on a bigger scale in future years. As the member for Waite said, the Universal Playground proved an instant hit with Festival goers, attracting an average of 2,000 people each night and providing a pumping heart of the Festival for younger audiences.

Mr Hamilton-Smith: I couldn't get in.

The Hon. J.D. HILL: As the member said, it was hard to get in. I attended on only one evening, which I think was a Sunday, and it was relatively empty, so I was able to walk around, have a drink and a meal and enjoy some music without the crowd. However, I know that on most evenings it was pretty pumped.

WOMAdelaide returned to the Festival fold for the first time since 1992. It achieved a record attendance figure of 70 077. In 2003, as a stand-alone event, attendances for WOMAdelaide were 68 000 and they were 64 000 in 2001. So, the critics who said that WOMAdelaide would be a failure if it were held with the Festival—

Mr Hamilton-Smith interjecting:

The Hon. J.D. HILL: I am not saying that the member for Waite was amongst them—that it would spoil the Festival and that it would reduce numbers elsewhere were absolutely wrong: it had a record number of attendees. It was a fantastic event—the weather was just perfect, the crowds really enjoyed themselves and there were many fine performances. Fringe data shows that just over 179 260 tickets were sold through Fringetix, as well as an estimated 100 000 tickets sold by artists at the door of their event.

All three events provided an opportunity to showcase the best in South Australian talent. The Adelaide Festival provided \$700 000 (12 per cent of program budget) for local South Australian companies and performers, plus \$100 000 for educational events by South Australian companies and performers. Twenty per cent of the 280 performers at WOMAD were South Australian based. Of the 392 registered artists in the Adelaide Fringe 2004, 212 (54 per cent) were South Australian. It was a fantastic Fringe, and full credit goes to Margie Andrewartha and Karen Hadfield for the job they did. It was very well organised and was of very high quality, and there was a great buzz around town.

As I said in my speech at the Fringe launch, the so-called competition between the Fringe and the Festival is false, because they need each other, and I made the comment that it would be like eating biscuits without Vegemite to have the Festival without the Fringe. There were 433 people who volunteered to work on the Fringe in this financial year. The South Australian Tourism Commission's Visitors Centre was overwhelmed and had to put on extra staff to cope with the demand of people wanting to see more of the Adelaide between their ticketed shows. This cultural success is something each and every one of us should take pride in.

On a personal note, I saw many fine performances, many of which the member for Waite mentioned. *Gulpilil* was a staggering theatre performance, and *Riverland*, which was produced by the Windmill Theatre Company, was an amazing piece of theatre, too, and was very well done. I saw a number of music, dance and drama events including, as the member mentioned, *Night Letters*. I was most struck by the very sensitive and moving way in which the issue of reconciliation was woven through the themes of the Fringe. It was not an add-on, or the hand-waving of 'Here's an Aboriginal issue and you should pay attention to it'. It was just built into the Festival in a very good way. The theme of fire and its importance to the Aboriginal tradition was a very strong part of the Festival and moved me very much indeed.

To everyone associated with all those events, the government expresses its great thanks and very strong congratulations. We are very happy to support the motion moved by the member for Waite.

The Hon. M.J. ATKINSON (Attorney-General): I, too, enjoyed the Adelaide Festival of Arts enormously and was pleased to attend the Dvorak concert of the Prague Chamber Orchestra. One night during the Festival, I was working in my office until 3 a.m. I tried to get a taxi to go home, and was unable to get a cab because the demand for cabs was so great at that time of the morning. I had to wait for three-quarters of an hour at the casino to get one. That is how successful the Adelaide Festival and the Fringe were.

Mr Goldsworthy: Go and play the pokies for a while.

The Hon. M.J. ATKINSON: No, I do not play the pokies. My preferred form of gambling is the races, for the

information of the member for Kavel. I was misrepresented throughout the contribution of the member for Waite—

Mr Hamilton-Smith interjecting:

The Hon. M.J. ATKINSON: —and he continues to misrepresent me by way of interjection. I think it is part of the role of any civilised government to fund the arts, and I have always been a supporter of arts funding within our overall budget responsibility.

During his contribution, the member for Waite advocated increased funding in real terms to the Adelaide Festival and to the Fringe; and in each of his shadow portfolios the member for Waite rises nearly every sitting day and advocates increases in real expenditure. Now, if it were just the member for Waite advocating real increases in expenditure in each of his portfolios, that by itself would not be noteworthy. The member for Waite could be written off as merely an earnest and enthusiastic shadow minister who was making promises that will not be fulfilled when his party comes to government.

But, alas, there are many members for Waite on the opposition side, because each shadow minister in the Kerin opposition promises real increases in expenditure for each of the portfolios they represent. So we have an opposition that is committed to increased funding in real terms in every portfolio across government. What is especially noteworthy is that this is combined with a commitment either to abolish or reduce nearly all the taxes from which state government raises its revenue. It seems to me that we have an opposition which has forgotten all the lessons of government. Remember, it is barely two years since this mob left office after eight years of governing this state.

Mr HAMILTON-SMITH: I rise on a point of order, sir, to call your attention to the matter of relevance. The minister is straying off the subject of the motion into general debate.

The SPEAKER: The honourable member makes a good point. I uphold the point of order. The minister will come back to the substance of the proposition before the house.

The Hon. M.J. ATKINSON: Sir, I am just responding to the misrepresentation of my position on arts funding.

Mr Hamilton-Smith interjecting:

The SPEAKER: The minister will not respond to interjections, and nor will the member for Hartley encourage such courses of action by making them.

The Hon. M.J. ATKINSON: I conclude by saying that the Liberal Party has forgotten all the hard lessons of government. In two years in opposition it has clambered back onto the plane at which it is most comfortable, that is, promising tax reductions and expenditure increases.

Motion carried.

CLIPSAL 500

Mr HAMILTON-SMITH (Waite): I move:

That this house commends—

- (a) the South Australian Motor Sport Board, chairman Roger Cook, chief executive Andrew Daniels, all officials and sponsors for the outstanding success of the Clipsal 500 V8 Supercar Race 2004; and
- (b) the Government for continuing to support the event and for moving ministerial responsibility of the event to the Treasurer.

This motion sends a very clear message to the South Australian Motor Sport Board, chairman Roger Cook, chief executive Andrew Daniels, and all the officials and sponsors involved with the Clipsal 500 V8 Supercar race. The house acknowledges their outstanding effort and congratulates them

for what they have achieved with this race. The motion also commends the government for continuing to support the event. We are very happy to do so, because it was an event conceived by the former Liberal government to fill the void created by the collapse of the Formula 1 race. It is consequence of a great deal of negativity from members opposite, and a result of the financial mess that we inherited in 1993. It has been a great success, and I commend the government for seeing its success and for actually moving it forward. I think it has moved forward in the last two years and has continued to grow. In that respect, I am very happy to commend the Treasurer and the government for seeing that this was something worth upholding and moving forward, and ensuring that it continues to grow. Of course, it is the people on the ground who make things work. That gets back to the chairman, the board and people like Andrew Daniels and his team who are out there on a day-to-day basis making it work.

Although I move this motion, I note that the Treasurer answered a question about the event on Monday 22 March so, in a way, he has already contributed to it. It would be nice if he could come back into the chamber and contribute to this debate so that we can get it on record in this context. A lot of congratulations need to be made. This year the crowd was 237 000, well in excess of last year. We are exceeding the very early days of Formula 1, and not only the early days of Formula 1: I think the only Formula 1 race that exceeded this attendance figure was the last one. The four-day formula was successful. Ticket sales exceeded \$5 million, up from \$4.3 million in the previous year. It is now the largest touring car event held anywhere in the world. In 2003, over 12 000 visitors were attracted to the state for the event. It generated an extra \$20 million of economic benefit. It will be interesting to see the full economic benefit figures coming from this event. I will be interested when those figures are finally crunched. In rough terms, we understand the benefit to South Australia as being in excess of \$80 million over the last five years. Further research is definitely needed to hone that up, but I think that research will reveal that this is an ongoing success story for the state.

Last year, the government decided to improve the infrastructure, with some extra toilets, bridging and overpasses, and that infrastructure development was supported by the opposition. I think it was very effective on the day, because moving around the race site at Victoria Park was much easier this time. Crowd control was much more balanced, and there were extra facilities to make it a pleasant day for people. Of course, this event has been awarded the AVESCO Trophy as the best V8 Supercar event every year since its inception and, on three occasions, the event has won the South Australian Yellow Pages Tourism Award. The event has been inducted into the South Australian Tourism Hall of Fame and, of course, it was recently rated as Australia's best major event or festival at the National Tourism Awards ceremony. So, it has knocked off events such as the World Cup Rugby and the Australian Open. This is the major event or festival in the nation, and has been awarded as such. It is an event of which we should all be proud.

As I have mentioned, the Chairman of the Board, Roger Cook, and his team on the board have a lot to do, and the fact that they are moving this forward from year to year and making it better is commendable. At the end of the day, it is not the government that does the nitty gritty here. It is not the government that carries out the fine detail, sets things up,

problem solves and finds ways to make the event better: it is the board. It is the board that must be recognised; the government is there to overview.

I note that when things go wrong, this government is very quick to blame the boards. However, when things go right, the government is very quick to get up and take the credit. However, let us remember that the boards manage these events, and they should be given the credit and be held to account. This is a responsible board that gets on with the job.

I have mentioned Andrew Daniels and his team. Andrew has been at the job for a long time now. He was involved in the days of the Formula One events, and he has a lot of expertise and a lot to offer. We are lucky to have him, and I hope that he continues batting on with this event in the years ahead.

It was a good program, and the ticket prices, too, were delivered at a very affordable price. On the day, I think it was \$25 early on in the race, \$39 on Saturday and pre-purchase tickets on Sunday were \$59 and, at the gate, \$64; a four-day season pass cost \$112, and for children under 12 there was free entry into the general admission area when accompanied by a paying adult. I think these ticketing formulas are a success story. The four-day reserve grandstand seats in the pit entry stand were \$149; general admission pre-purchase family tickets on Sunday cost \$177 and, at the gate, \$192 for entry for two adults and two children aged 12 to 17. These are very successful ticketing formulas if you compare them to, say, an Aussie Rules game or to the test cricket. This is something the family can do, and that was evidenced by the number of families and young people who attended and, indeed, by the very attendance figure at the race. It was, after all, the most successful event ever held. So, I think we have got that formula right. It has a different appeal from the Formula One—a broader feel in many ways—and it is really becoming an Australian icon.

I move now to some of the sponsors. Of course, at the launch some months ago (I think it was in November) Clipsal made the point that, although some changes have been made to its ownership, Clipsal's commitment to the race would be continuing. Of course, many other sponsors are involved in and associated with the event. I read with interest the report of the Auditor-General into the Motor Sport Board, which had seven members as of June 2003, and I think it is a pretty favourable report.

The Auditor-General makes the point in an accounting qualification that, although last year's results showed a surplus of \$81 000, it would have shown an operating deficit of \$1.3 million had there been compliance with APS 11 'contributions' and AASB1004 'revenue' as an accounting standard to allow for grants. There is quite a bit of money involved in this event. Last year, nearly \$6 million in hospitality and sponsorship was brought in. Ticket sales amounted to \$4.5 million; and amortisation and capital grants, \$1.8 million; state government grants, \$1.645 million; catering and merchandise, \$1.549 million—of course there was other revenue—and expenditure totalled \$15.7 million.

This is an expensive event to run, but when you look at the commitment from the government, which is well under \$2 million, and when you consider that the Formula One Grand Prix is at the moment costing the Victorian taxpayers in excess of \$20 million a year, this is a really good return for the dollar. For South Australian taxpayers, this is a fantastic outcome when you consider the economic benefits for the outlay of taxpayers' dollars. All credit to the government for having seen the benefit of it and continuing to maintain it.

This leads me to this mysterious decision (which is part of my motion) as to why the government chose to move the event from the tourism portfolio under the present tourism minister to the Treasurer. When that happened, the question was asked: why on earth have we got the Treasurer running a motorcar race? Why is it not with tourism where it always was?

Mrs Hall interjecting:

Mr HAMILTON-SMITH: My colleague the member for Morialta ran it very successfully and when I was briefly the minister we took it over. It was a good strategic fit. It worked well in tourism; it fit well with Major Events, and they were very comfortable with it. However, as soon as Labor was elected, it was carved off and sent to the Treasurer. At least that ensured that the money was preserved, because we know about the chaos in the tourism budget with \$12 million being sliced off the tourism budget compared with what we were spending. We were spending \$55 million, and the current minister is spending about \$43 million a year. Amortised over the years there will be tens of millions of dollars slashed from tourism. Of course, visitation to our state has fallen through the floor. International bed nights have dropped. Domestic bed nights have dropped—

The ACTING SPEAKER (Mr Snelling): Order! The member for Waite was quick to pull up the Attorney-General when he strayed from the topic. I draw the member for Waite back to the matter in question, which I understand is the Clipsal 500 car race.

Mr HAMILTON-SMITH: Thank you, Mr Acting Speaker, I take your point, but this is one of South Australia's premier tourist events, and you pulled me up on the basis that I should not talk about tourism when this is our premier tourist event. The minister when he spoke about this event last week made that very point, and he ranged quite freely on the subject of tourism. I will take your advice, but this is a tourism event, and it must be viewed within the context of our tourism performance in this state and our share of the tourism market, which is in decline. This event is helping us to claw our way back. Our share of the tourism market is going down; everybody else's is going up.

Why did we move the event? Could it be that we moved the event to the Treasurer from tourism because the tourism minister was not interested in running it? Could it be that we moved it because the tourism minister in her former life had publicly stated on the record that she was opposed to events being run in the parklands and that this might have been perceived as a blight on the parklands? Could there have been some other reason? Could it have been that the only person in the Labor cabinet who was interested in supporting the event was the Treasurer? I do not know. We have never heard an explanation from the government as to why it made this mysterious decision to move the Clipsal 500 from the tourism portfolio to the Treasurer. What I will say (and my motion reflects this) is that I think this has been a very good decision, and I give the Treasurer due credit: I think he has competently managed the event and done a very good job. Had he not been running the event, I shudder to think what might have happened to it. It might be in ashes right now. It might be the event of a thousand catastrophes. I doubt very much whether certain other ministers, who had no interest in it, would have made the same commitment as the Treasurer.

As I said, it is a terrific success story. The board, Roger Cook and the CEO, Andrew Daniels, deserve a massive pat on the back. They should continue to apply for those awards. Adelaide will be part of that success story as the V8 super car

race now goes off to Shanghai. Adelaide has also set the standard in the way that it has sought and obtained defence cooperation for this race. It is fabulous to see the air force, the army and the navy involved in supporting the events. The air displays are very much part of it. It is great to see the spectacle of it, and South Australia has showcased how, when a state government puts all its resources behind an event like this, you can grow that event.

It would have been nice if that had happened with the Adelaide International Horse Trials and with the Year of the Outback so we had a similar sort of outcome repeating year after year. It would have been nice if the Glenelg Jazz Festival was upheld and if the same level of commitment went in to the International Rose Festival. All those events are in ashes and events have been slashed to high heaven. Maybe we should move all those things to the Treasurer. Perhaps by moving this event to the Treasurer the government has actually shown the way. Maybe we should move most of these tourism events to the Treasurer so that they can be competently run and so that the attendances at, and the success of, those events can thrive.

Mrs GERAGHTY secured the adjournment of the debate.

ADELAIDE UNITED SOCCER CLUB

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

That this house notes the outstanding success of the Adelaide United Soccer Club throughout the season and congratulates the team on their recent semifinal victory over South Melbourne and extends our good wishes and luck for the preliminary final against Perth.

The Cinderella story that was Adelaide United's debut season unfortunately came to an end on Sunday 28 March as it sought a historic grand final berth. Adelaide proved no match on the day for reigning National Soccer League champions Perth Glory, going down 5-0. However disappointing it must be to bow out on such a note, the loss cannot remove the gloss on what was an outstanding season for the new Adelaide soccer club. For a club that did not even exist a year ago, to finish the 2003-04 season by contesting for a spot in the grand final must have been beyond even their wildest expectations.

Members would remember that the Adelaide United Soccer Club rose from the ashes after the demise of Adelaide City Force because of financial pressures. Adelaide maintained a rightful place on the national soccer scene through the generosity of Adelaide builder and developer Gordon Pickard and the South Australian Soccer Federation, and Adelaide United was born. The club was coached by John Kosmina, himself a respected international player with some 102 games for Australia and a member of the 1988 Seoul Olympics team, who brought together a talented squad that included Aurelio Vidmar as captain.

The support shown by the citizens of South Australia for the new team since its debut on 17 October 2003 against the Brisbane Strikers was truly phenomenal. At the club's semifinal against South Melbourne, a sell-out crowd of 16 558 supporters broke a 26-year Adelaide National Soccer League attendance record. It was the third sell-out crowd for the season and continued a wave of support that started from a debut crowd of 15 200. That was the largest attendance for a National Soccer League game at Hindmarsh Soccer Stadium since 1995. Aren't we thrilled to have such a magnificent, world-class soccer venue such as Hindmarsh

Soccer Stadium, which for the first time sees the likes of our Premier and sports minister attend this world-class facility to cheer on our wonderful soccer athletes and to bask in the adoration of thousands of Adelaide United fans? Instead of a poisoned chalice, Rann's white elephant has become the golden chalice, and, as Dale Carnegie once said, 'Any fool can criticise, condemn and complain—and most fools do.' So the question to Premier Rann is: who is the fool now?

In all, more than 183 000 fans crowded Hindmarsh stadium throughout the season. Attendance levels of this magnitude, I dare to say, would only be bettered by our Australian Football League teams—and that is an amazing level of support for such a new team. Notwithstanding what the club must view as a premature end to the season, Adelaide United had a truly amazing entry into the National Soccer League.

Adelaide United finished third on the NSL ladder after the completion of the minor rounds, with 40 points from 24 games, and, interestingly, the first year club finished above 10 other established clubs in the National Soccer League. The club played 24 games in its debut season for 11 wins, six losses and seven draws. It earned the right to tackle Perth Glory for a berth in the grand final after a most memorable semifinal win, in which Richie Alagich blasted Adelaide United into the preliminary final when his extra time penalty gave Adelaide the golden goal and a two to one win against a defiant South Melbourne.

For a side which entered the National Soccer League weeks after the start of the season proper to have gone so far in its first season is nothing short of amazing. Adelaide has a long and proud tradition in the game of soccer, and the season's results justify the hard work and faith shown by Mr Pickard, Club President Basil Scarsella, Tony Farrugia, Tony Henshaw, the 24 members of Adelaide United's debut squad and the thousands of South Australian soccer fans who showed the club so much support.

Adelaide United has placed Adelaide back on the national soccer map (where it rightly belongs) and, more importantly, it has continued to provide South Australians with the opportunity to watch the highest standard soccer in Australia. With the demise of Adelaide City Force, Adelaide faced the very real prospect of vanishing from the national soccer scene, denying spectators the chance to watch top-class games and denying rising South Australian stars the opportunity to play in a national competition based from their home state. The popularity and success of Adelaide United has added a great deal more depth to the National Soccer League and significantly raised the profile of soccer in this state and this state within the Australian soccer public.

I congratulate everyone involved, and I thank them for their fantastic effort. I am sure that every member of this house joins me in wishing the club the very best for future seasons.

Ms CICCARELLO (Norwood): I move:

That the debate be adjourned.

The ACTING SPEAKER (Mr Snelling): Is that seconded?

An honourable member: Yes, sir.

The ACTING SPEAKER: All those in favour say aye, against no. I think the ayes—

Members interjecting:

The ACTING SPEAKER: Order! I think the ayes have it. The debate to be made an Order of the Day for? The member for Newland.

Mr SCALZI: Mr Acting Speaker—

The ACTING SPEAKER: Order! The member for Hartley will resume his seat. There was a motion before the chair to adjourn the debate, and there was a seconder. I put it and it was carried. If the member for Newland does not agree with that call, she can call for a division.

Members interjecting:

The ACTING SPEAKER: Order! The debate to be made an Order of the Day for? The member for Newland.

The Hon. D.C. KOTZ: Divide!

The ACTING SPEAKER: For the good conduct of the house, does the member for Norwood wish to seek leave to withdraw her motion to adjourn?

Ms CICCARELLO: I seek leave to withdraw the motion to adjourn.

Leave granted; motion withdrawn.

Mr SCALZI (Hartley): I thought it was the protocol for there to be a speaker from each side of the house. Being a gentleman, as soon as I saw the member for Norwood rise to her feet, I thought that the member was going to speak. It gives me great pleasure to support this motion and to support the outstanding success of Adelaide United Soccer Club throughout the season. I also congratulate the coach, John Kosmina, the captain, Aurelio Vidmar, and all team sponsors and supporters for the club's exceeding all expectations to finish third in a remarkable first season in which more than 183 000 fans packed into Hindmarsh stadium.

I believe it is important that we all recognise what Adelaide United has done for soccer in South Australia. In just a short time it has provided an opportunity for the thousands of soccer fans in South Australia to get behind the team, which has truly been remarkable in again putting South Australia on the Australian map as being the best state with regard to soccer and its supporters. I commend the member for Newland. She has outlined the reasons why we did not make the grand final, but nothing can take away the success of Adelaide United in this first season. Throughout the history of soccer in South Australia—and, indeed, in Australia—I wonder what other team has been able to achieve such success in such a short time and pack an excellent stadium. I attended the matches, and to see—

Mrs Redmond interjecting:

Mr SCALZI: Did they boo the Premier? Unfortunately, they did. I apologise for some of the fans but I can understand their frustration, because there was so much negative talk about Hindmarsh stadium. It was supposed to be a white elephant, and it was supposed to be—

Mr Rau: It's the biggest white elephant—

Mr SCALZI: I note that, on the day, the Premier was making trunk calls! Obviously, the fans do not agree that it is a white elephant, and the No. 1 ticket holder was enjoying it. It was great to see the Premier out there congratulating the players. It was great to attend Hindmarsh stadium and witness one of the matches, experience the atmosphere in a world-class stadium and see South Melbourne being defeated in that knock-out match. I was going to donate a carton of Victorian Bitter to them! It was a great atmosphere, which I have not seen in Australia before. I congratulate the president, Basil Scarsella, the coach, John Kosmina, the assistant coach, John Perin, and Aurelio Vidmar and the rest of the team.

An honourable member: Name them all.

Mr SCALZI: I will name them all, because it is important on such an historical occasion: David Scarsella, David Terminello, Elias Demourtzidis, Richie Alagich, Carl Veart, Sean Widera, Robert Bajic, Kristian Rees, Shane Smeltz, Aaron Westervelt, Adriano Pellegrino, Aaron Goulding, Aurelio Vidmar (captain), Michael Brooks, Nick Crossley, Michael Valkanis, Goran Lozanovski, Mimi Saric, Nick Budin, Ross Aloisi, Shane Thompson and, of course Freddy Agius—what an impact he has had on soccer in South Australia—and Matthew Kemp.

I might not be able to name the spectators, but I put on the record the contributions of Gordon Pickard, Fairmont Homes, Adelaide Pest Control, and Nick Bianco as major sponsor. It is nice to see the Nick Bianco logo on Adelaide United players as major sponsor. Adelaide Produce Market is also a sponsor; and I am pleased to say that my brother's business, Scalzi Produce, is a platinum sponsor, and it is great that the Scalzi family is behind Adelaide United. We are not fair weather soccer supporters, as some would be. You either support soccer or you do not. Members would know that I have carried the soccer federation flag proudly, and I will continue to do so, because soccer is a great sport. It is a great participating sport. More young people play soccer in South Australia than any other code.

Ms Bedford: I beg your pardon! Can you prove that?

Mr SCALZI: Young men; sorry. I was talking about soccer and football. Of course, it is great to see that the women's soccer team, Adelaide Sensation, is involved with Adelaide United and doing well also. I know that because I have been to functions at Hindmarsh stadium, and I will continue to support soccer. It is a great sport. I know how difficult it was when I was a teacher at Marden High School to get schools to support soccer.

Ms Bedford: Do you remember that far back?

Mr SCALZI: Yes, and I remember that we won the premiership in 1980 for the first time at Marden High School. I am proud of the players (such as Mario Boffa, who works for Nick Bianco) who were in that winning team in 1980. I have had a long association with soccer, as has the member for Morialta.

I think it is a great success story. *The Advertiser* has reported that Adelaide United formed just six weeks before the start of the season and exceeded all expectations to finish third in a remarkable first season during which more than 183 000 fans packed into this fabulous stadium. The most important thing is that Adelaide United has touched the hearts of the public of South Australia, and one match in Perth cannot take away that achievement. It is a great success story. John Kosmina must be commended and congratulated; Aurelio Vidmar and his whole team should be congratulated; and the thousands of fans who have supported Adelaide United should be congratulated. South Australia's commitment to soccer was displayed by those people who were prepared to travel on a bus for 36 hours to go to Perth and those who went to Brisbane the week before.

Mr Caica: Did you go?

Mr SCALZI: I did not think it was appropriate to take parliamentary leave to go to Perth, but I was there in spirit. A 36 hour trip would prevent my being here. So, it has been a great success story. All those involved should be commended and congratulated, and we wish them well for the next season in which they will do even better than this year because it is a great team and has great support through the sponsors who are broadly based.

Mr Rau: Can you mention them, and their names and addresses?

Mr SCALZI: I know that the member for Enfield is interested, and I will make sure I get him a list of sponsors.

Mrs HALL (Morialta): It might annoy some of my colleagues sitting in the opposition benches, but there is no way a motion to congratulate Adelaide United is going to pass through this house without my support and my speaking to it. I speak with great sincerity and passionate support for this motion to congratulate Adelaide United Football Club for, as has already been said, a spectacular first season in the National Soccer League. I believe they as a team can be thanked for the resurgence of soccer in this state, because they built a club for all South Australians, a team to identify with. In future years, Adelaide United is going to be credited with providing a model from which clubs throughout Australia will be able to draw inspiration as they enter the new age of the Australian Premier League. Since their first game, when they had a sell-out crowd of more than 15 000 packed into their stadium to welcome their new team, there is no question that Adelaide United has captured the imagination of South Australian sports fans, not just soccer fans. Over this season they have attracted more than 184 000 fans to 14 home games, placing them 40 000 ahead of the perennial league leaders, Perth Glory. If you add to that number the record crowds of the two final series games hosted at Hindmarsh Stadium, you get a sensational tally.

I think the club was hopeful originally that they might get somewhere around 7 000 spectators to the first game. They actually sold 5 000 season tickets within the first few weeks. When I reflect on that first game in October of last year, as a dedicated soccer fan of many years, the memory of seeing so many men, women and children having the time of their lives fills me with enormous pride. It was just so special to see South Australians of all backgrounds and all ages experiencing the pleasure of the world game. The first game proved—to me, anyway—what some of us had known for a number of years, and that is that South Australians love soccer. They wanted to get behind it and now they have got a team they can enthusiastically support. The rest of the home games throughout the season reinforced these feelings, as Adelaide United enjoyed an average attendance of 13 000 people at each game. The entire soccer family has been brought together to get behind a club that promotes unity and inclusion as its core values. If clubs interstate promote the same values over the next few years, I have no doubt Australian soccer is going to thrive at long last. It is certainly thriving in this state, and the fans are loving it.

Soccer fans, old and new, in my view, owe a tremendous debt of gratitude to club patron Gordon Pickard, of Fairmont Homes, as has already been mentioned; to President Basil Scarsella and his team at the South Australian Soccer Federation; and the board of Adelaide United. I think this sporting achievement is something we can all identify with. As has already been said, Adelaide United emerged following the withdrawal of Adelaide City from the NSL, and I think what Gordon Pickard and his team did was nothing short of fantastic. He is no stranger to the South Australian public, as over many years he has shown an enormous desire to support a number of activities across the state. We all know well the magnificent ongoing work done by the Pickard Foundation, established in 2002, which contributes more than \$500 000 to various charities, activities and causes throughout the state.

While Mr Pickard kicked off the new venture, only strong administration and leadership, both on and off the field, would ever see it flourish the way it has. Charged with the task of guiding our new club in the boardroom is Basil Scarsella, who, as we well know, brings a wealth of professionalism and experience to Adelaide United, having served as president of both Soccer Australia and the Oceania Football Confederation, as well as having served on the international body of FIFA. I think he deserves our congratulations on the way in which professionalism has extended right through club administration and created a fantastic foundation for the future. I think congratulations ought to go to Sam Ciccarello and Angelo Picca for their incredible energy and determination in making sure that professionalism is identified.

In terms of on-field results, part of the reason for such an impressive support over the season has been the leadership of Johnny Kosmina and the superb standard of play by his team. Of course, United were not able to go that extra one game that we all wanted and to contest the grand final in their inaugural year, but they displayed a passion and a level of dedication which is guaranteed to keep the turnstiles moving in future years. But the efforts of Kossy should not be underestimated. To assemble such a competitive team at short notice while the rest of the league teams had begun their campaigns was certainly a tall order, in my view, but he did it—and he did it brilliantly. And, I have to say, much to the delight of his father Alex, Adelaide United decided that they wanted to have the best as their coach. He has an incredible history and record with West Adelaide, English club Arsenal, the Socceroos, and Sydney City, and we are now seeing the benefit of that experience here in our own state.

Mention has already been made about Aurelio Vidmar, with the onfield leadership and activity that he has been providing and, again, Aurelio played for the Socceroos and had a very successful career in Europe. I think Adelaide United as a group has benefited enormously from Aurelio's leadership and experience.

I think the entire team can be enormously proud of a stunning season, and I just want to mention Carl Veart; Ross Aloisi (that control in the midfield and toughness in that broken thumb is something to behold); Goran Lozanovski, whom we all just love watching with those corners and his brilliance; Richie Alagich, who I think has had the best season he has ever had, and his consistency throughout the year has been nothing short of sensational; and Freddy Agius, the new one to the team, is going to be an exciting star to watch, and I hope not too much pressure is put on him in the early years. I have to make mention of Brooksy. Michael Brooks, who—as we know—comes in on about the last 20 minutes of the game, has certainly made his mark, and I hope that he can continue a little longer.

I think that for the team to finish third has exceeded many expectations, and it is a tribute to their skill, their hard work and the sheer guts of those players. It has been a fabulous year for soccer in this state, and it has done a great deal to take our minds off the persistent troubles that the game has faced in the past.

Congratulations must go to the initial sponsors, who have supported Gordon Pickard and his team, that they got on board very quickly. One of their objectives was to make sure that the team had the best start they could possibly give. I would like to particularly mention one of my constituents, Nick Bianco, who has been a long-term supporter not just of

national league soccer but also local soccer and, indeed, many other sporting events throughout the year.

The media and their coverage have been fantastic, and it is just what soccer has needed because the growth all through the teams in the regional areas is going crazy; the juniors are coming out in hundreds; and many of the local clubs are finding it very difficult to cope with the influx. And they all know the names of the soccer players down at Adelaide United.

We have every reason to look forward to another fabulous year in the new competition. There is no doubt that there is a rock solid foundation, diehard fans, a talented playing group, and a very experienced and talented coach. And, importantly, we have as our home base the best purpose-built soccer stadium in the country. I might say it is a stadium that the government no longer refers to—behind hands, wink-wink nod-nod—as a white elephant. They are now concerned that it is not big enough.

Every game I attend broadens the smile on my face—the great atmosphere, the entertainment, and Adelaide United running onto that pitch in the state colours and providing 90 minutes of stress, frustration, pride and excitement. Australia and South Australia do want to embrace soccer, and they have shown that they will. Adelaide United—congratulations!

Members interjecting:

The ACTING SPEAKER (Ms Ciccarello): Order!

Members interjecting:

The ACTING SPEAKER: The members for Morialta and West Torrens, who is out of his seat, will please come to order.

Mrs GERAGHTY secured the adjournment of the debate.

MOTOR VEHICLES, THEFT

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

That this house calls on the government to consider implementing the National Motor Vehicle Theft Reduction Council's 'Immobilise Now!' program to reduce car theft in South Australia by offering a subsidy to car owners as an incentive to install an Australian standard immobiliser in an effort to reduce car theft, youth crime and cost to government and community.

Members will be aware that this motion was introduced in the previous session, but it dropped off the *Notice Paper*. However, for the information of members with respect to the many points I made at that time, I refer them to page 3 532 of *Hansard* and, rather than reiterating my 15-minute debate, I wish to add to those initial comments. When I moved this motion in this house on 26 June 2003, I focused on the 'why' of such a scheme. There is now no doubt that a compulsory immobiliser scheme would benefit South Australia and South Australians in many ways, such as lower crime rates, lower insurance costs, lower opportunistic theft, less strain on our police and juvenile justice systems and our citizens would be able to feel more secure when they park their car.

An engine immobiliser is an electronic device, which interrupts the power supply to two or more systems required to start a vehicle's engine. Unless the correct electronic signal is provided via the ignition key (a transponder or a coded plug) the vehicle will not start. The signal to deactivate the system is constantly changing, making it impossible to crack. All immobilisers that meet the Australian/New Zealand standard for vehicle immobilisers (4601:1999) are self-arming. This means that the immobiliser is automatically activated when the ignition is turned off.

The standard was developed by industry experts, ensuring that the immobiliser cannot be easily overcome by thieves and will not affect the safe operation of the vehicle. I remind all members that the startling statistics concerning juveniles and young adults involved in stealing cars should concern all of us. Overall, in the 2001-02 year young South Australians aged 10 to 17 accounted for 36.1 per cent of all apprehensions and 35.9 per cent of alleged offenders relating to theft or illegal use of a motor vehicle. These statistics, when taken with the fact that three out of every four car thefts are opportunistic crimes, clearly shows the need for a compulsory immobiliser scheme, and the need for the government to pave the way with an incentive for all South Australian car owners.

The statistics paint a very graphic picture of a situation which needs to be addressed now—a situation which will only escalate if ignored. I ask members to consider the following details: a car is stolen every four minutes in Australia, that is, 140 000 a year—one of the highest rates in the western world. In South Australia in 2001-02, 11 636 cars were stolen, according to statistics from the Office of Crime Statistics and Research. That is almost 32 cars stolen every day in South Australia alone. During 2002, there were 2 039 finalised claims for vehicle theft that occurred in South Australia.

The average cost for these claims was \$5 174.68, making a total of more than \$10.5 million in claims caused by vehicle theft within South Australia. Of these claims 1 659 (or 81.4 per cent) involved a vehicle which did not have an immobiliser; 186 (or 9.1 per cent) had an immobiliser which met the current Australian standard; and 194 (or 9.5 per cent) had an immobiliser which did not meet the current Australian standard. Of the 10 581 vehicle thefts in South Australia during 2002, vehicles that were not immobilised made up 90.9 per cent or 9 616 vehicles of the total.

Immobilised vehicles which met the current Australian standard made up 4.2 per cent (or 448 cars) of the total, and those that were immobilised but did not meet the Australian standard made up 4.9 per cent (or 517) of the total. In 2002, some 1 108 vehicles were stolen from the Adelaide City Council local government area. There were 1 277 cars stolen from Port Adelaide-Enfield; 1 063 from Salisbury; 742 from Playford; 995 from Charles Sturt; and 948 from Onkaparinga. That is just a random sample of vehicle theft from throughout our state. I ask you to consider the effect that these thefts are having on an ongoing basis to the citizens of our state and to the finite resources of our police, emergency services and court systems.

A further factor to be considered in the introduction of any immobiliser scheme is that a lower rate of vehicle theft by young and inexperienced drivers may lead to a lower rate of flow-on effects such as police chases and road trauma through accidents and stolen cars; a lower incidence of opportunistic thefts; fewer stolen vehicles involved in further crimes; and less danger to the general public. In evaluating any proposal it is important that, as well as a dollars and cents approach, intangible benefits are also considered. These could include: increased public confidence; increased public safety; less stress and anxiety from car theft; decreased insurance costs; less workload on police resources; and less workload on the justice system.

A heightened awareness of preventive measures on vehicles may lead to an increase in preventive safety and security measures in other areas including buildings and belongings and increased value of second hand cars. This clearly establishes the 'why', but much of the comment in

recent months has not focused on whether we need such a scheme; rather, it has focused on the 'how' aspect of the scheme, such as how much it will cost, how we can obtain an immobiliser, how much time it will take, and how the state will benefit in the future. On the face of it, implementing a statewide compulsory scheme seems like a huge and costly task, but it does not have to be, either for the government or the car owner. In fact, in the long run, both will reap substantial benefits. The framework is already in place.

The CAR-SAFE program has already formulated a list of Australian Standard immobilisers and a network of installers in South Australia. Implementation of the subsidy scheme could be set within the existing framework of our vehicle licensing system. According to industry advice, Australian Standard immobilisers are available through the National Motor Vehicle Theft Reduction Council for between \$160 and \$200. Even without a government subsidy, this is an affordable cost and quite reasonable for a very effective vehicle theft deterrent.

I have also been advised that getting an immobiliser fitted to a vehicle is a simple installation which only takes about 90 minutes and that many CAR-SAFE installers will actually do the installation on-site. This means that people can get an immobiliser fitted at their home so that there is no need for lost time or the inconvenience of taking your car to an installer. The CAR-SAFE program already has in place a proven system, so there is no need to reinvent the wheel, as much of the ground work for a statewide compulsory immobiliser scheme has, in fact, already been done. Most CAR-SAFE dealers issue a certificate of compliance when fitting an Australian Standard immobiliser. This certificate could simply be made mandatory to produce when registering or transferring the registration on a vehicle, and this would negate the need for any new administration or other costs.

The alternative to a subsidy scheme for government would be to legislate a mandatory requirement for an immobiliser to be fitted prior to registration or transfer of registration and a complementary advertising campaign to explain this new requirement. Some have said that you can buy immobilisers for as little as \$20 but, again, industry advice has indicated that these so-called cheapies are little more than a toy that in fact are no real deterrent. Cheap immobilisers come with coloured wires so a thief actually knows straight away which wire to cut. The immobilising unit is normally housed outside the main unit, using a separate, exposed relay, which of course is easily by-passed. This suggests that it is important for us to stress that only Australian Standard immobilisers should be fitted under this proposal.

However, whatever the cost—which alone would be worth it for peace of mind and not having to go through the anguish of being a victim of car theft, not to mention substantial savings to resources, police, emergency services and judicial staff, and the reduction of road trauma caused by inexperienced drivers in stolen cars—as a practical view, an immobiliser could pay for itself quickly in a number of ways. First, an immobiliser will be a value added feature to a vehicle, meaning that the cost of fitting the item may be recouped through an increased sale price. Secondly, many insurance companies offer lower vehicle insurance premiums for vehicles with extra theft protection. An immobiliser could pay for itself in this manner in just a very short time.

Whether members support the motion to lower insurance costs or reduce the workload on the state's various departments involved in crime, or whether they support this motion so the vehicle owners in their electorate benefit from greater

security, one fact always bears remembering: a car is stolen every four minutes in Australia—that is 125 000 cars a year. Again I reiterate: in South Australia in 2001-02 some 11 636 cars were stolen, and that is almost 32 cars stolen each day in this state alone.

Looking over a wider period from 1 July 1997 to 30 June 2003, in South Australia alone some 66 127 vehicles were stolen. I ask members to stop and consider that number. It is quick to say, but when you think about the numbers we are talking about it is quite staggering. Between 1 July 1997 and 30 June 2003, in our state alone some 66 127 vehicles were stolen. That is, I am sure members will agree, a totally unacceptable situation and one that cannot, in all good conscience, be allowed to continue.

A compulsory immobiliser scheme has run for a number of years in Western Australia with very good results in the battle against car theft, while a study in Victoria has also recommended a compulsory scheme be adopted in that state. Governments are often criticised for taking easy options in the areas of crime and crime prevention, so a government such as this one, which has been so vocal about its plans to tackle crime, as a matter of urgency should implement a program such as 'Immobilise Now!' in the best interests of the entire state of South Australia. Again, I urge the government to support a statewide immobiliser program. This measure addresses a significant problem for government and the community and indeed complements any law reform the government intends to present to this house. I therefore call on all members to support the motion.

Mrs HALL (Morialta): I rise to support the motion moved by the member for Newland because the points she has outlined and the rather persuasive case she has made to our party room and I hope to this parliament says it is a good idea. Given that Treasurer Foley is currently finalising his budget, he might like to get out the calculator again to see whether he can incorporate an initiative such as this. As has already been outlined by the member for Newland, we know that car theft is a huge problem in our country and also that we have one of the world's highest car theft rates, despite the fact that the rate now is at the lowest it has been for 20 years, so clearly we have not been making any progress. As the member for Newland says, a car is stolen every four minutes in Australia, but here in South Australia we have the second highest rate in the nation and I suspect we are not proud of that statistic. I urge the government to consider the implementation of the measures proposed by my colleague the member for Newland.

Car theft has such an enormous effect in many areas, beside the crime itself, and the implementation of measures to curb car theft will have a significant flow on. Vehicle theft of course has a huge impact on the vehicle owners—we understand that—because, for many, a car is a person's second most valuable asset, while for others it is their most valuable asset. A car is a person's transportation to work, university, school and family, and the absence of a car causes huge inconvenience. A high rate of vehicle theft affects insurance companies and the premiums they then in turn set for us. A high rate of vehicle theft exposes the car industry, the accessories and the spare parts industries to continual streams of stolen material. With more sophisticated methods being employed by professional thieves, second-hand retailers often do not know what they are handling or whether or not they are handling stolen car parts.

As we know, and have heard on many occasions in this chamber, vehicle theft is one of the most common examples of youth crime, and this often has a lot to do with the ease with which some cars can be stolen. Many young criminals, for example, steal cars for the purpose of joy-riding. Often this just constitutes a means of getting from one place to another. Others steal cars as a means of getting to the scene of another crime, and I specifically mention ram-raiding. However, it is significantly different in older generations, because professional thieves who make money from the theft of cars do so by either selling them on or selling the parts.

Some of the research material provided by the member for Newland explains the myth that 'most cars are stolen by highly organised gangs who will steal my car no matter how I protect it'. Many of us believe that, but apparently the reality is that only one in four cars is stolen by professional thieves—and I do not find that very reassuring. That is an extraordinary statistic.

One of the well-recognised and well-documented problems of our high level of vehicle theft is the number of older cars. In a series of radio interviews a few weeks ago, one of the assistant police commissioners said that South Australia has a recognised old car fleet, compared with the rest of the country, and that the average age of our cars is 12 years plus. That is demonstrated by the fact that every year we defect around 20 000 vehicles.

Again, the research shows that older cars are easier to break into than newer ones, because the newer and more modern cars have much more secure designs. Older cars are rarely fitted with immobilisers, and one argument suggests that owners of older cars do not purchase an immobiliser because they do not consider it worth the expense to fit one. I believe that the member for Newland has outlined that it is relatively inexpensive, compared with the initial outlay.

I think that she has outlined in some detail how this program could work and, certainly, the work that has been done by the National Motor Vehicle Theft Reduction Council's 'Immobilise Now!' program needs to be congratulated. It has made some progress because of its very effective programs and research outcomes, but I will not go into the details of those now. The NMVTRC is also intending to implement measures over the next four years to continue its program of reducing the cost of vehicle theft. These include:

- maintaining information systems and exchanges on a multiagency national scale;
- ensuring police service priority to vehicle theft investigation is maintained; and
- limiting Australia's exposure to the international trade in stolen vehicles and parts through the development of export related prevention and protection strategies.

I was quite surprised to learn the detail of exactly what an immobiliser is. For those in the chamber who do not necessarily have a mechanical mind, an engine immobiliser is:

... an electronic device that interrupts the power supply to two or more systems required to start a vehicle's engine. Unless the correct electronic signal is provided by the ignition key, a transponder or a coded plug, the vehicle will not start.

That sounds quite impressive and, together with information provided by the member for Newland, I am sure that the government, and Treasurer Foley in particular, will look most enthusiastically and favourably upon this motion.

When I looked at the material, I was concerned to see that in the Adelaide Hills (one of my council areas) 53 cars were stolen in 2002, but there was an 81 per cent recovery rate. Burnside had 224, with a 92.9 per cent recovery rate; and

Campbelltown had 199, with a 90.5 per cent recovery rate. As has already been said, car theft is a very serious offence because not just the car owner but the rest of the family is so dramatically affected. As a government, my colleagues opposite are always talking about their stance of being tough on crime and punishment. Offering a subsidy for immobilisers may not grab the headlines, but it will attack the crime of vehicle theft by ensuring that it does not happen in the first place; and I believe that it will happen if the government wants it to and stops putting spin on such a serious community issue.

The Hon. M.R. BUCKBY (Light): I support this excellent motion moved by the member for Newland. I think one of the worst things that could happen to anyone (apart from someone harming your children) is to find that, on leaving a restaurant, a meeting, or anywhere, your car has disappeared. You think, 'What the!'

Mr Koutsantonis interjecting:

The Hon. M.R. BUCKBY: The member for West Torrens says that he thinks it is fantastic. Let me tell the member for West Torrens that I would much rather my 1994 Ford Laser be there than have to worry about the inconvenience of having to find another car or finding it burnt out at Gawler River on Thompson Beach, or somewhere such as that, and completely stripped, thank you very much!

Obviously the Western Australian scheme has been quite successful in getting people to fit their older vehicles with immobilisers. While everyone thinks 'It will not happen to me', the figures show that some 140 000 cars are stolen in Australia each year—and that is a very considerable number. While everyone says, 'Oh well, it was insured'—that is, if you have comprehensive insurance—one of the facts people overlook is that, when insurance companies have to pay out, my premium and everyone else's premium increases. There is no doubt about that.

The cost of replacing a vehicle is a cost to the insurance company and, as a result, it has to increase its premiums. To my mind, any scheme which puts a lid on that, or at least holds premiums at their current level, will be of significant benefit. Our modern vehicles are now fitted with antitheft devices, but the vast majority of vehicles that are stolen are older cars, particularly Commodores from the 1980s which are not fitted with any immobilisers or any theft deterrent devices; and, as a result, many people end up being inconvenienced. The fact is that many of these cars just end up being stripped. The sound systems, tyres, MAG wheels, or whatever, can be taken off and the car is fenced off in some way. It is more than likely that the person stealing the car is supporting a drug habit. If they are a professional in the business of stealing cars, they send them interstate, rebadge them, or, as they call it, rebirth them, put them on the market and sell them.

As I said, this is an ideal way to ensure that either voluntarily or compulsorily we can slow down and stop the theft of motor vehicles and, as a result, ensure that people within the community can leave their car in safety. This will also have some impact on insurance premiums because people will not be making as many claims on insurance companies. The member for Morialta has spoken at length on this topic and has raised a number of valid points. It is interesting to see that some 70 per cent of vehicles in Western Australia are currently fitted with an immobiliser, and that has to ensure that there is a lower level of theft in that state. I believe this is a motion that should be passed by this house

because, to me, it is good commonsense. If it can reduce the number of stolen vehicles, that is a benefit to the community.

Mr SCALZI (Hartley): I also rise to support and commend the member for Newland for bringing this motion to the house calling on the government to consider implementing the National Motor Vehicle Theft Reduction Council's 'Immobilise Now!' program to reduce car theft in South Australia by offering a subsidy to car owners as an incentive to install an Australian standard immobiliser in an effort to reduce car theft, youth crime and cost to the government and community. I think it is a sensible motion and I trust the government will take note. This is really a crime prevention strategy. Most cars stolen are in an older age group, and they are stolen by a lot of young people. It is opportunistic theft. This is not a time when, just by increasing the penalties, you are going to reduce that theft. One must have different strategies. It is a crime prevention measure.

I note that in the last couple of years the government has not been very good on crime prevention strategies, but this makes sense. Having your house broken into is something that leaves members of that family household violated, knowing that people have been in their home. Having your car stolen after that, I believe, is something that follows very closely. It is no comfort to know that the car is insured and that you might recover it. The reality of what you have to go through once your car has been stolen is unnecessary, because we have the technology, as in Western Australia, to have 70 per cent of cars immobilised and so reduce the rate and the opportunistic theft that takes place.

I note that, in local government areas in my electorate, Burnside had 224 cars stolen with 92.9 per cent recovery; Campbelltown had 199 cars stolen, with 90.5 per cent recovery; and Norwood, Payneham and St Peters had 372 cars stolen, with 90.3 per cent recovery. Obviously, there are different strategies for reducing car theft. This is just one measure that could have significant impact. There is no doubt that insurance premiums are affected by motor vehicle theft so, apart from the cost, there is also the point that young people who steal cars to go on joy rides place danger upon themselves and others after they have stolen a motor vehicle. That cost is much greater than any cost of recovering that motor vehicle, with no insurance premium able to cover it. We see, too often, where young people have stolen a car, injured themselves (in some cases fatally) and injured others. Any measure that can reduce car theft should be welcomed. I hope the government is listening and takes these crime prevention measures seriously, because they are very much needed. We have the technology to prevent car theft, so we should implement it. It would make good sense.

Mr VENNING (Schubert): I rise to join in this debate today. I congratulate the member for Newland on introducing this motion. It is a subject that is pretty close to her heart, and it has been a subject of some discussion both in and outside parliament. Indeed, the ERD committee looked into this issue as well whilst it was looking into the compulsory inspection of motor vehicles. At that time, we discussed the amount of data available between states and whether the South Australia Police were sharing data with interstate police about stolen vehicles and the rackets that were going on. I support this motion. Although car theft is possibly on the decrease, it is only due to the new technology in new motor vehicles. As we all know, South Australia has one of the oldest car fleets in Australia, and a lot of the old cars do not have the technology

to foil car thieves. One car in particular is the popular VN Commodore. There are a lot of them still out there on the streets, and they certainly are a target for thieves. They say that, if you own a VN Commodore and you park it on North Terrace on a weekend, you have the highest chance of having your vehicle stolen. Ford vehicles of the same vintage are the same. These vintage motor vehicles are the ones being targeted—not to mention the old Holden HQ Kingswood and everything else we still have running around here. They are gems to steal, because they are easily got into with a piece of wire and can be started in seconds with a coil, a piece of wire or a screwdriver. It is mainly young people who own these cars, and it is very foolish that they do not spend a few dollars on at least taking some temporary or small measure to immobilise their motor car, because these older cars are certainly in need of immobilisation.

I recently looked into car theft after the well-reported spate of police chases and the accidents resulting from car theft. Of course, it is not so much the car theft—which is costly enough—but a bigger problem is the hassles and hurt caused by car theft, particularly as we saw on television over the weekend, I think it was, when we heard of police chases, and the accidents and death of innocent bystanders caused by other people because of police pursuing stolen vehicles. The question of whether or not the police should be pursuing stolen vehicles is a difficult one.

I remind the house that one in four cars stolen are stolen by professional thieves, obviously for the parts, and there are things that can be done about that, too. Three in four cars are stolen by opportunistic criminals, who are usually young people, and 30 per cent of cars stolen are stolen by young offenders. Statistics show that it is not the professionals, as you would often think, but kids who find a car easy to pinch. The car is in the wrong spot, it is the wrong make and model, and says all over it, 'Steal me because I am not fitted by the manufacture with any reasonable deterrent.' They can get into the car in two seconds and the chance of starting the car is high. They have a good time for the next half hour or so, and then they dump the car. It is even more upsetting when they destroy the car by torching it.

It makes you wonder whether the penalties for car theft are adequate in this state. In the United States, we have heard about 'grand theft auto' and the very high penalties associated with it. I just wonder whether our penalties are high enough; I do not think they are. In fact, the government ought to be looking at that situation. After someone's home, their car is the most important asset. As a person who collects vintage cars, I can say that a lot of the older cars can be more valuable than new ones, and they are unprotected. So, we want to encourage people to get rid of their HQs, although I know a lot of people are starting to collect HQs, particularly two-door ones. The two-door Monaro is already a collector's item.

Mrs Hall: Do you have one yet?

Mr VENNING: No, I do not have one yet, but I am looking. Surely, anyone, particularly in Australia, has the right to park their car, lock it and, hopefully, find it still there when they return. If it is an older model, you have a great chance of it not being there, and the theft of these cars has been increasing. According to SA Police figures in its report entitled 'Motor vehicle theft in South Australia', as I said, juveniles account for 40 per cent of offenders caught and 80 per cent of vehicles stolen were recovered. Looking through these figures I am encouraged that the incidence of recovery is very good. I compliment the police for that. These

are interesting statistics, because in Port Pirie and districts 25 cars were stolen in a year and 84 per cent were recovered. I would have thought it would have been worse in that area. An area that I thought would be good is the Barossa. In that area 27 cars were stolen—that is more than I would have thought—and 77.8 per cent were recovered. In Clare/Gilbert Valley, 17 cars stolen and 76.5 per cent recovered. The worst is in Grant, which I believe is Kangaroo Island—

Mrs Hall: No, Mount Gambier.

Mr VENNING: In that area, nine cars were stolen and only 66 per cent recovered. I wonder why that statistic is so bad. Only three cars were stolen in Peterborough and 33 per cent recovered. That is a bit of a concern; I think it is the worst in the state. These are interesting statistics. We must make it more difficult to steal cars. I think a device such as a flashing light would considerably deter would-be thieves, particularly if it is only young people out for a joy ride. I cannot see them sitting there for half an hour trying to get into a car with a flashing light. It is a dark spot—

Mrs Geraghty: This has been going on for years. Why didn't you do something when you were in government?

Mr VENNING: It is an ongoing problem. If the honourable member can recall, the then minister for transport tried to do something about it, particularly in relation to older vehicles and having a breath detector in vehicles. We have been very active in this area. We were the first to encourage the transfer of data to other states in relation to theft. Our government made the removal of ID plates on vehicles illegal, particularly for people who bought a wreck or stole a car and transferred the ID plates. We have done a lot in this area. I think it is time for this government to pick up the baton and run with it and encourage people who often cannot afford to buy a new vehicle to fit them. We have been monitoring the Western Australian scheme, which is now completed. I think it is now time for—

Mrs Geraghty interjecting:

Mr VENNING: I say to the member for Torrens that this is hardly a big political issue, but I am saying to members opposite: keep it going because I think this is a very important issue. My final comment is that people have to be encouraged. The government should at least encourage the fitting of these vehicles through an advertising campaign and making sure there is some financial assistance for people who want to buy them. There is no sales tax on them, but there must be a way that we can help people. They cost \$160 to \$200, which is not prohibitive to a lot of us, but it would be for some people. This is an Australian standard fitted device. That would be the cost to fit a VM Commodore, which you could probably buy for between \$2 500 and \$3 500. It is a reasonable amount on top of that price, but I think it would be money well spent, not only for the sake of the person who owns the vehicle but also for those who can be injured through the vehicle being stolen.

We have a culture in South Australia which we must try to break. Most young people have been with or seen someone or been associated with someone who has stolen a vehicle. I am sure that in the years ahead when vehicles will be driven by the younger set with devices fitted in the factory we will see a great decrease in theft, but at the moment we still have a lot of 15-year-old Holdens, Fords and Mitsubishi motorcars running around the state. We have the oldest fleet in Australia, and that poses the question: why do we have the oldest fleet in Australia? Is that to do with compulsory—

An honourable member interjecting:

Mrs Hall: Because of the State Bank.

Mr VENNING: Because of the State Bank, or is it because we do not have compulsory inspections of motor vehicles. That is another question, too. I congratulate the member for Newland on bringing this up. It is a good, commonsense motion and I support it.

Dr McFETRIDGE (Morphett): Yesterday there was a lot of brouhaha in South Australia with the release of the South Australian Strategic Plan—Creating Opportunity. What we are talking about today is reducing opportunity for people who are, to call a spade a spade, mongrels who steal cars. Page 3 of the South Australian Strategic Plan states that the challenge for South Australia is to create sustainable economic development, jobs, etc., and to improve wellbeing, and part of improving wellbeing is having less crime and feeling safer, with particular emphasis on preventive measures. That is what this motion is all about. The Premier, in releasing the plan, said that we need to implement preventive measures. Everyone in this place knows that I am championing the reintroduction of crime prevention programs in South Australia, and I hope that the government takes note of its own rhetoric and implements them.

In volume 2 of the Strategic Plan, page 22 makes reference to safe and secure communities. Finding your car where you left it in your garage, in the street or in the shopping centre car park has a secure feeling about it. Why is this important? South Australians are entitled to be and to feel safe and secure in their communities. That is not me saying that; that is the State Strategic Plan. Down at Holdfast Bay, according to figures from 2002, 272 cars were stolen. Fortunately, because of the diligent work of the police force, 90 per cent of them were recovered.

Looking at recent figures from 2002-03 and 2003-04, there has been a reduction in the incidence of motor vehicle theft at Holdfast Bay in my electorate of Morphett, once again because we have a diligent police force down there which is working very hard. We also have police officers on pushbikes going around the back streets and through the car parks. That was a good initiative by the Liberal Party, and it is one that this government should strongly support. Down at Port Adelaide you do not need a car immobiliser because your tyres have been slashed and you cannot drive it anyway. That should not be happening.

We have to make people responsible for their actions. I understand that when these mongrels take motor cars the offence is not stealing a motor car but illegal use of a motor car. I am not a lawyer, and by that statement I am boasting not apologising. I would like to know why taking someone's motor car, stripping it and taking it away so that the owner is deprived of the use of that motor car in most cases not just for a little while but permanently is considered in that way. Fortunately the police work hard and recover the motor cars, although many of them are damaged beyond repair.

People's lives are shattered by the theft of one of their most treasured possessions, and, as many members have said, it is probably the second most expensive possession after their house. They are very disappointed and very upset by the intrusion on their personal wellbeing and their lives. The government needs to implement measures to do something about it, not just rhetoric, not just threatening to throw them in gaol for longer, but supporting measures like this motion that has been moved by the member for Newland.

The Hon. M.J. Atkinson: The member for Heysen says that tougher penalties are not the answer.

Dr McFETRIDGE: Many of the stolen cars are used for joy rides and for doing burn-outs. Perhaps the Attorney-General, who interjects now, could speak to the former minister for transport and the current Minister for Transport and let councils have access to details from the Registrar of Motor Vehicles when motor cars are stolen and used for burn-outs. If someone gets the registration number, the low lifes who steal these motor cars can be charged with not only stealing the motor car but also offences such as littering because they leave rubbish all over the road. I have written to the transport minister. I wrote a number of times to the former transport minister and, so far, there has been no action—just lots of rhetoric—'I will look at it; I will consider it'—but nothing is happening. Councils have been calling out for this for a long time. It is absolutely necessary that this government does not keep just talking.

We have a state strategic plan. South Australians are owed this by the government. They have had to put up with massive debt in the past. They had a glimpse of the possibilities for this state in the eight years of a Liberal government, but during the past two years of a Labor government we have been going backwards. This is a small step forward to support such a measure in order to make people responsible for their actions. If they are stealing cars, and they are out there destroying lives and property, they should have to suffer the consequences of their actions.

There is a bigger part of this picture. The social breakdown that has been evident in some communities in parts of South Australia is something about which this government has made a lot of noise. The Social Inclusion Board and the Layton report have been out there trying to improve and build on the sense of community in South Australia. If people who steal cars feel part of the community, perhaps they will have responsibility towards the community and will no longer steal cars. It is disappointing to stand in this place to raise genuine valid points and illustrate problems that will not go away unless someone does something about it. There is a lot of talk but very little action. I support this motion—and I urge the government to support the motion.

Mrs GERAGHTY secured the adjournment of the debate.

EMPLOYMENT, TRAINING AND FURTHER EDUCATION MINISTER

Mr BRINDAL (Unley): I move:

That this house censures the Minister for Employment, Training and Further Education for misleading this house by deliberately omitting information in her response to a question asked in this house on 31 March.

The Hon. M.J. Atkinson interjecting:

Mr BRINDAL: I find this difficult. If you want to make it harder, make it harder.

The Hon. M.J. Atkinson: You never got a case. You just made it up. You tripped over your tongue.

Mr BRINDAL: That cost you. Mr Speaker Lewis has said:

We all come here to do a duty. It is not about making friends or enemies; it is about making improvements. It is not about advancing one's own cause but about advancing the true welfare of the people of this state. We are all here to do our duty—whether it is pleasant or unpleasant is beside the point;

I do not find this very pleasant, but I find it necessary to do so, for reasons that I will explain to the house.

The Hon. M.J. Atkinson interjecting:

Mr BRINDAL: And I will explain to the minister that, despite the best efforts of the Attorney, I do not intend to take some sort of petty revenge on the minister simply by using the processes of this house because he wants to sit here and behave like the child he sometimes can be. I get no real pleasure from this, because I have a great deal of respect for the minister I accuse of misleading the house. But I do so for the following reasons. Mr Speaker Lewis has clearly ruled that a minister must, in answering a question, not avoid any information that is deliberately at their disposal. In fact, he gave the house information in the case of the Privileges Committee on minister Hill that it is a contempt of this parliament if a minister or member of the executive government, knowing a fact, does not give that fact to the house.

Yesterday in her answer to a question, the Minister for Employment and Training quite specifically said:

The commonwealth minister has constantly refused to acknowledge and fund the forecast growth in demand for vocational education and training, which is 5.2 per cent over the period 2004-06.

The record shows (and the minister is honest, and she knows) that there was an interjection by me. I said, 'Look, you didn't sign the agreement,' to which she replied that she was not minister at the time, or words to that effect. But the fact is (and the minister did not acknowledge it, and this is my point) that the minister did not admit anywhere in her answer, despite me, in an unruly fashion, trying to help, that the commonwealth has put an offer on the table. Speaker Lewis has said that to leave out an argument that you know is cogent to the information of the house amounts to a misleading of this house. I tried to help, and the minister did not state at any stage that the federal government had put an offer on the table (which she finds inadequate, and she is entitled to do so) to raise an additional \$16 million—

Ms Thompson: Are you listening to yourself?

Mr BRINDAL: I hope the minister understands the point I am trying to make, because other members do not seem willing to consider it. The federal government is putting on the table an offer of \$270 million and \$16 million in additional money for TAFE training. The government of South Australia yesterday announced something like an additional \$1 million for TAFE training, which is good, but then berated the commonwealth government by saying that it was refusing to do anything which is not a statement of fact and which is, in my contention, by the ruling of Speaker Lewis, a breach of the privilege of this house. The Attorney (and most members opposite) knows that I could have done either of two things. I could have stood up on a matter of privilege and asked for a prima facie ruling and, had Speaker Lewis uphold that, then the minister would be facing a Privileges Committee.

The Hon. M.J. ATKINSON: Sir, I rise on a point of order. The member for Unley persists in referring to the Speaker's surname. The Speaker should be referred to as just 'the Speaker'.

Mr BRINDAL: The Speaker could have made a prima facie ruling and said that there was or that there was not a breach of privilege. Frankly, I do not think this is a matter of such moment, which is why it is a censure motion and not a matter of privilege. Even if the house chose to pass this motion, it is nothing other than a censure of the minister. I am not saying that this is the worst offence that anyone could commit in this house: I am not saying that the minister is anything other than wrong in this matter and therefore

deserves the censure of the house in this matter. I am not saying she should resign. I am not saying she is dishonest. I am saying she omitted—

The Hon. M.J. Atkinson: If the censure motion is carried, of course she should resign.

Mr BRINDAL: The Attorney persists. I believe that minister Cornwall, and a number of other ministers in previous Labor governments, were roundly censured on many occasions and laughed, and certainly did not resign. I have made my case. I expect—

The Hon. M.J. Atkinson: Good! Sit down.

Mr BRINDAL: Just shut up, will you?

The ACTING SPEAKER (Mr Rau): Order!

Mr BRINDAL: Well, could you protect me from that goose?

The ACTING SPEAKER: Could the member for Unley stick to the topic, please?

Mr BRINDAL: I am trying to, and I am trying to do this as graciously as possible, because I have a great deal of respect for the minister, and that fool is making it bad for her.

The ACTING SPEAKER: Order! Member for Unley, please do not allow yourself to be provoked by the Attorney. The Attorney-General.

The Hon. M.J. ATKINSON: Erskine May will show that comparing members to animals is always unparliamentary, and I ask that the member for Unley withdraw the reference to me as a goose.

Mr BRINDAL: In deference to the goose, I will.

The ACTING SPEAKER: Now that you two are in harmony, let us move on in a peaceful way.

Mr BRINDAL: I repeat that I do not think this is a hanging offence. I do not think it requires the minister's resignation. That is my opinion. I think she failed (and, I am sorry, but I think she failed deliberately) to give this house information that the house had a right to know. I therefore brought this motion because it was the only way, other than via a privileges committee, to draw this matter to the attention of the house. I have done so. I am very happy that the minister will reply. I am equally happy if no-one else speaks in this debate and we conclude the matter on the voices, because I can count. I do not think the minister is a bad person; I repeat that. I think she is one of your most decent ministers, sir, but I still think she did not do the right thing yesterday and therefore I have moved this motion. In so far as the minister might take it personally, I apologise, because she knows it is not personal.

The Hon. P.L. WHITE (Minister for Transport): I move:

That the time for moving the adjournment of the house be extended beyond 1 p.m.

Motion carried.

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I believe this motion is entirely misconceived, and I guess it is appropriate that today is 1 April—that is the only justification I can see for its happening. Yesterday I was asked a very straightforward question by the member for Wright: 'What is the government doing to overcome the lack of commonwealth growth funding to TAFE in South Australia?' It hurts me to say this, but I thought my answer was unexceptional. I referred to the estimates of increasing demand on TAFE courses and explained that one of the strategies being used by the state government to deal with the shortfall in demand for TAFE

places over the next three years is called Learning Works. This is a very important strategy, I believe, because it looks at alternative ways of getting people, particularly young people, into continuing education. The member for Unley is one of the first people to leap to his feet on points of order, particularly when he believes that ministers start to include information in their answers that go beyond the question that was asked. I am also very much of the view that the member for Wright thought that I answered her question and was satisfied by the answer that I gave her. On this occasion the member for Unley's complaint appears to be that I should have given a different answer to a question that was never asked.

I was not asked the question, 'Why has the state government not signed the ANTA Agreement?' I was not asked the question, 'Why was the commonwealth's offer regarding the Australian National Training Authority Agreement entirely inadequate?' Nor was I asked why every state and territory government has refused to sign the ANTA Agreement. Nor was I asked what the penalties of the commonwealth government would be, or what would be imposed on every state and territory as a consequence of not signing the agreement.

Had I been asked these questions, I would have been more than happy to castigate the commonwealth government for its abysmal offer on the ANTA Agreement. There is quite some history to this. I do have to pay my respects and tribute to the previous minister who has worked very hard to try and come up with a satisfactory agreement with ANTA and with the federal government. She, along with her colleagues, signed a joint letter on 19 December and these are some of the things that the state and territory ministers had to say (they were referring, on 19 December, to the Hon. Dr Brendan Nelson):

We refer to your letter of 15 December 2003 requesting the states and territories to accept by the close of business 19 December 2003 the Commonwealth offer for the Australian National Training Authority (ANTA) Agreement 2004-06.

The states and territories are concerned that you have failed to continue negotiations in good faith, undermining the goodwill and resolution of the ministers at the Ministerial Council meeting on 21 November 2003.

Your inability to deliver your expressed willingness to pursue the possibility of a review of appropriate funding levels for the ANTA Agreement at the end of 2004 is particularly disappointing.

We find it extraordinary that you were able to negotiate an additional \$200 million for universities, but are apparently powerless to address critical issues of skilling and training for which the Commonwealth must accept responsibility in the national interest.

The Commonwealth Government has not seriously engaged states and territories in any negotiation on adequate funding for the vital vocational education and training sector.

As you are aware, independent analysis by Access Economics shows that demand has the potential to grow by 5.2 per cent per annum. This translates into \$348 million over the life of the agreement. Calls by industry leaders for increased funding for the sector in the new ANTA Agreement have also been ignored.

The Commonwealth Treasurer in the Mid Year Economic and Fiscal Outlook has forecast a cash surplus of more than \$8 billion over the life of the ANTA Agreement, which is 2004-06. In this instance we are completely at a loss to understand your Government's failure to address the skilling and training needs of the Australian community.

Last year, 54 700 Australians were unable to gain a training place. At best, your current offer will only find 18 000 additional places over three years.

You are a signatory to the ministerial declaration *Stepping forward: Improving pathways for all young people* and yet you fail to negotiate an adequately funded vocational education and training system that would allow these good intentions to be made a reality.

Each year over 50 000 young Australians fail to achieve a Year 12 or equivalent qualification. Teenage unemployment persists at the unreasonably high level of 19.3 per cent, despite general unemployment being at 5.6 per cent. Your offer makes no contribution to solving these problems. You have also expressed a strong commitment in other policy areas, including apprenticeship traineeships, skills shortages and the needs of mature workers. These commitments need significant growth funding.

States and territories are committed to improving quality and meeting the demands placed on the vocational education and training system, including areas of skills shortages, such as those in the automotive and construction trades.

The letter goes on to say:

However, we are convinced that accepting the current Commonwealth offer would undermine our strong commitment to maintain and improve opportunities for skilling, learning and work for Australian individuals and communities. Additional funding is essential if Australians are to be adequately skilled to meet the challenges of sustaining and generating economic growth over the coming years.

In particular, you have allowed the *National Code of Practice for the Construction Industry* and the associated *Commonwealth Implementation Guidelines* to become an unnecessary barrier to the Agreement. States cannot accept the imposition of arrangements that are anti-union and anti-worker and that potentially undermine state industrial relations arrangements. We are disappointed in your inability to find a practical solution to the impasse over this matter. Your proposal for the conversion of infrastructure funding to recurrent purposes is not a realistic solution, given the restrictions imposed on how these funds can be applied.

We are also disappointed that you are invoking penalties despite the reassurance that you gave us at the November ANTA Ministerial Council that you would not apply them in 2003.

States and territories reject your offer despite the provocative penalties you have threatened for failure to accept a totally inadequate Agreement. If necessary, it is our preference to roll over the current Agreement for another year while we continue negotiations. We urge you to renew the commitment made at the Ministerial Council to continue negotiations in good faith.

This is signed by Matt Foley, who is the Minister for Employment, Training and Youth and the Minister for the Arts in Queensland; Lynne Kosky, the Minister for Education and Training in Victoria; Paula Wriedt, the Minister for Education in Tasmania; Dr Andrew Refshauge, the Deputy Premier and also the Minister for Education and Training and the Minister for Aboriginal Affairs in New South Wales; Dr Jane Lomax-Smith who, as we know, has been our Minister for Employment, Training and Further Education; Alan Carpenter, Minister for Education and Training in Western Australia; Katy Gallagher, the Minister for Education, Youth and Family Services in the Australian Capital Territory; and Syd Stirling, the Minister for Employment, Education and Training in the Northern Territory.

I think people who have listened to that letter being read out will understand the seriousness that all the states and territories have put onto the ANTA agreement and the inadequacies of that agreement. The fact is that the old agreement has been rolled over for 12 months, and the commonwealth is withholding indexation on growth funds pending the negotiation of a new agreement. This is penalising all states and territories.

Nevertheless, as I said, these are not the questions I was asked. I was asked: what strategies is the state adopting to overcome the loss of growth funding? As I said, the member for Wright does not seem to have any problems with the answer that I gave to her about this issue. It is my understanding that standing orders make it clear that a member or minister does not need to respond to an interjection or other disorderly behaviour, including questions that are out of order. On that basis, I do not see why I have needed to give

the member for Unley an answer to a disorderly question or interjection.

I also point out that the opposition, by agreement, gets 10 chances per day to ask questions. The member for Unley could have asked a supplementary question—which seems to have become popular at the moment in this house—of the member for Wright, and he could have also asked me a question of his own volition about his concern with the ANTA agreement.

In closing, I would like to say that I have a very high regard for the member for Unley. I have been very pleased, wherever possible, to work with him on the portfolios where we have had crossovers, with him as the shadow minister and me as the minister. That was also the relationship that we enjoyed when I was the shadow minister and he was the minister. So, I am very sad that he has taken such an extreme measure in moving the type of motion that he has moved, because I think it is completely over the top.

I would also like to say that, because I do have respect for the member for Unley, we are also next to each other as far as our respective electorates of Unley and Ashford are concerned. I believe that we have a very good relationship not only in terms of our region but also as the shadow minister and the minister. I hope that my response to this motion has answered why I believe this motion is completely unfounded and untrue, and I take great exception to it.

Mr BRINDAL (Unley): I acknowledge the points the minister made, particularly the point that I did not think to ask a supplementary question. The minister is quite right: I could have done that; and, perhaps in view of the personal affront she has taken to this, I would rather have occupied that course of action, but that is easy to say in retrospect. I would just say—and I do not want to delay the house—to the minister that where we are misunderstanding each other is that, when she said that I was asking a question by interjection, I was not: I was merely trying to point out that the previous minister had failed to sign the agreement.

This is our disagreement. The question was: what is the government doing to overcome the lack of commonwealth-growth funding in TAFE in South Australia? The minister is entitled to answer the question in exactly the way she chooses, but the point I make is that Speaker Lewis has ruled that one cannot answer a question in the way that one chooses and leave out important information which one knows to be the case. We are not going to agree on that. The minister has made her point, and I have made mine, and that, as far as I am concerned, is enough. I am genuinely sorry that the minister takes such exception to this, because—

An honourable member interjecting:

Mr BRINDAL: Well, it has happened to me. It has happened to a lot of people in this house.

Mr Koutsantonis: When were you ever censured?

Mr BRINDAL: In the last parliament there was a motion of—

Mr Koutsantonis: There was not.

Mr BRINDAL: Yes, there was. I am sure that there was—

The ACTING SPEAKER (Mr Rau): The member for West Torrens will come to order. The member for Unley is making his final remarks, and we all want to hear them.

Mr BRINDAL: I believe that, in the last parliament, a censure motion was tried against me. I think that many ministers get a censure motion. It is a matter of the principles and rules of this house. As the minister acknowledged, and

as I acknowledge, it is not personal. I have a great deal of time for the minister's integrity. I do not think that she handled it correctly in this case, but I am not, on behalf of my party, going to call for a division on this matter—

Members interjecting:

Mr BRINDAL: I can count the numbers. I do not think that the minister deserves to be subjected to that. I repeat: I regret the level to which the minister believes this is reflecting on her. It is not intended to. It is purely—

Members interjecting:

Mr BRINDAL: Look, members opposite can make their point. I have made my point. I accept that members opposite are genuine in what they are saying but, just because you are affronted, tough luck. The fact is that I am elected to do a job, not to please you. I will continue to do my job whether or not the honourable member is affronted. I am more concerned that, in some way, I might have offended someone I regard as a friend. I am not at all concerned that I might have offended someone who I regard as a fool.

The ACTING SPEAKER: I want to be clear. From his remarks, is the honourable member intimating to the house that he may be content with the matter now being withdrawn, having heard the remarks of the minister, or is he saying that he wishes it to proceed to a vote on the voices? I was confused from the remarks that were made.

Mr BRINDAL: I think that it would be easier to call on the voices which, I presume, are in favour of the government. Motion negated.

The Hon. P.L. WHITE: I rise on a point of order, Mr Acting Speaker. Was that a unanimous vote against the motion?

Members interjecting:

The Hon. P.L. WHITE: It sounded like a unanimous vote to me.

The ACTING SPEAKER: There is no point of order.

[Sitting suspended from 1.05 to 2 p.m.]

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Administrative Services (Hon. M.J. Wright)—

Institution of Surveyors Australia—South Australia
Division Inc—Report 2003

Public Works Committee, Ministerial Response to the
Committee's Inquiry into the Kilparrin/Townsend
School Relocation.

AUSTRALIAN BROADCASTING COMMISSION

A petition signed by 355 citizens of South Australia, requesting the house to take all steps possible to place public pressure on the ABC management to observe its own charter—to be an ABC for everyone—and restore local sports coverage on the ABC, was presented by the Hon. M.D. Rann.

Petition received.

HOSPITALS, WALLAROO

A petition signed by 535 residents of South Australia, requesting the house to urge the government to immediately make additional funding available to the Wallaroo Hospital (Northern Yorke Peninsula Health Service) to allow joint replacement surgery and other essential health services to continue, was presented by Mr Meier.

Petition received.

VOLUNTARY EUTHANASIA

A petition signed by 55 residents of South Australia, requesting the house to reject Voluntary Euthanasia legislation; ensure all hospital medical staff receive proper palliative care training and provide adequate funding of palliative care procedures for all terminally ill patients, was presented by Mr Scalzi.

Petition received.

CONSTITUTIONAL CONVENTION

A petition signed by 51 residents of South Australia, requesting the house to pass the recommended legislation coming from the Constitutional Convention and provide for a referendum, at the next election, to adopt or reject each of the convention's proposals, was presented by Ms Breuer.

Petition received.

HOSPITALS, REPATRIATION GENERAL

The Hon. L. STEVENS (Minister for Health): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L. STEVENS: I wish to inform the house that the government has decided that the Repatriation General Hospital will retain its own board and funding arrangements when the new Southern Adelaide Health Service comes into effect on 1 July this year. At the time of the release of the generational health review, the government announced that the Repat's role as a special place for our veterans would be preserved and protected. I also announce that consultation would occur with veteran organisations on whether the hospital should join the new regional health service. As a result of this consultation, the board of the hospital has informed me of some support but also of uncertainty and opposition to this proposal amongst veterans. Both the RSL State Council and the State Consultative Council of the Ex-Service Organisations opposed the Repat becoming part of the Southern Adelaide Health Service.

I have also had discussions with the RSL and other veterans and I appreciate their advice, which is consistent with the advice of the board. The government has listened, and this decision will provide certainty and security for veterans. It is important to reassure veterans and war widows that their current and future health care needs will continue to be served by the Repat that they know and feel secure and certain in using. The new metropolitan health services come into effect on 1 July 2004 and there is much to do. Today I have written to the board informing them of this decision and asking them to focus on developing the working relationship with the Southern Adelaide Health Service to strengthen the service provision to the veterans and to other members of the community who use this hospital.

ECONOMIC DEVELOPMENT BOARD

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

Leave granted.

The Hon. P.L. WHITE: A key recommendation of the Economic Development Board's report 'A framework for economic development in South Australia' requires the government to hold itself and local government more

accountable for the timeliness of their decision making and role in the planning process. I wish to inform the house of ways in which my department is seeking to address the challenges of the Economic Development Board in terms of turnaround of development assessment applications and responding to council-initiated plan amendment reports. I am pleased to advise that extra resources have been redirected into this task since the beginning of this month, that there are no overdue PARs with Planning SA at this time and that it is meeting its required time lines. Planning SA is processing 20 per cent more applications per month in 2004 than it did in 2003. In the nine months of this financial year, 37 statements of intent for plan amendment reports were processed, compared to 28 in the same period in the last financial year—a 32 per cent increase in the first nine months of this financial year.

Eleven PARs were placed on interim operation, compared to eight in the same period in the last financial year—a 27 per cent increase. In the first three months of 2004, four section 30 council development plans were assessed, compared to one during a similar period in 2003. Two ministerial PARs were initiated and placed on interim operation in the first three months of 2004. It is my intention that we keep up the pressure on those turnaround times.

LAND, ALDINGA AND SELICKS BEACH

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

Leave granted.

The Hon. P.L. WHITE: I wish to inform the house of actions the government is taking in relation to a subdivision of large allotments in Aldinga and Sellicks Beach. New land subdivision in Aldinga and Sellicks Beach has been put on hold for 12 months, following community concern over the impact of future development in the south. On Friday 26 March the southern metropolitan growth management plan amendment report by the minister was placed on public consultation for two months and was declared by the Governor in Executive Council to come into operation on an interim basis on Friday 26 March 2004.

The interim plan amendment report will put on hold any new applications for broad acre subdivisions. This decision will not affect land subdivision already approved or currently before council. It is aimed to ensure that the sequence of developments is timed so that it can be supported by appropriate infrastructure and services.

The boom in property prices and a decision by the Onkaparinga council to approve a development by Canberra Investment Corporation (CIC) for up to 700 new allotments in Aldinga has sparked concern about the impact of rapid population growth on the local environment and community. As far as this development is concerned, prior to Onkaparinga granting development approval, state government officers entered into negotiations with the developer about contributing towards the provision of infrastructure from which existing and future residents could benefit. As a result of those negotiations, CIC has agreed to contribute \$475 000 towards community facilities. Of this, \$275 000 will be made available for community health services.

More and more people are being attracted to the southern suburbs because of the wonderful environment and excellent lifestyle available in the area. However, the government wants new development to be supported by adequate infrastructure, including all the government services and non-

government services that need to be provided. This infrastructure is important not just for its own sake but also because it is a fundamental prerequisite for the development of sustainable communities.

During the 12-month freeze, investigations will be completed which will involve consultations with relevant government, non-government, private sector and community groups, and will result in a program for the appropriate release of land that takes into account the local service and infrastructure needs. This freeze will affect 30 large allotments that could each be divided into 20 or more smaller residential blocks. In the case of the two applications for large residential developments already before council, the government intends to initiate discussions with the developers to explore options for the supply of local services and infrastructure. The plan amendment report is issued for public consultation and can be viewed at offices of Planning SA, or on its web site, and at the City of Onkaparinga. Written submissions on the PAR are welcomed by no later than 5 p.m. on 26 May 2004.

QUESTIONS ON NOTICE

The SPEAKER: I direct that the written answer to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 243 and 245.

AUDITOR-GENERAL'S REPORT—GRADUATE PROGRAM

In reply to **Hon. R.G. KERIN** (12 November 2003).

The Hon. M.D. RANN: The Commissioner for Public Employment has advised that agencies who recruited graduates between 1998 and 2001 received a subsidy of \$6,000 per graduate. Payments for graduates recruited at the end of that period were made in the 2001-02 and 2002-03 financial years from carryover funds. No new funding for graduate recruitment has been available since June 2001.

Graduates continue to be recruited to meet existing and future workforce needs, including those impacted by the agency profile of the public sector workforce.

Some agencies have deferred recruiting more graduates pending their full induction and training of existing recruits or because of other workforce restructuring initiatives.

Support for recruitment of graduates has continued through the Graduate Recruitment Program, coordinated by the Office for the Commissioner for Public Employment. The program promotes graduate opportunities in the public sector and facilitates a referral and recruitment process for all agencies seeking to employ graduates.

QUESTION TIME

STATE STRATEGIC PLAN

The Hon. R.G. KERIN (Leader of the Opposition): Will the Premier commit to the public release of the first two-year scorecard proposed in the strategic plan prior to the 2006 election campaign?

The Hon. M.D. RANN (Premier): I will tell you what I am going to do. I am the only Premier in the history of this state who has had the guts not only to have a plan but actually to set targets and time lines. Your only target was to go backwards, and the test of your leadership will come tomorrow with the reshuffle. Are you going to dump the member for Unley?

The SPEAKER: Order!

The Hon. R.G. KERIN: I rise on a point of order. The question really was: will the Premier commit?

The Hon. M.D. RANN: I will give you further and better particulars. Tomorrow, when you are doing your reshuffle and the test of your leadership is on the member for Unley—and whether he will stay, or whether the member for Light will go, or whether he will bring down the member for Heysen—

Members interjecting:

The SPEAKER: Order!

Mr BROKENSHIRE: I rise on a point of order relating to standing order 98. The Premier is clearly defying your ruling, sir—again.

The SPEAKER: Notwithstanding the belief of the member for Mawson that the Premier is defying my ruling or otherwise—and he might invite me to contemplate whether that is so—I tell the Premier and all honourable ministers that the question asked defines the subject matter to be canvassed and the answer sought. It is not an opportunity for debate. The Premier has been debating. He will come to the subject or remain silent.

The Hon. M.D. RANN: I can absolutely make this pledge today to every member of this house. A group, which will include the Economic Development Board and its chair (Robert de Crespigny), the Social Inclusion Board and its chair (Monsignor David Cappel) and the joint chair of the Science and Research Council (Professor Tim Flannery), who is also, of course, the chair of the Sustainability Forum, will make a judgment every two years on the progress that we all make as a state. This will be done, as you would expect, at the end of the financial year. I make this pledge today. We will be judging members opposite as well, because what the people of this state want is an opposition that supports this state, not tries to white-ant it. Members opposite have to make a choice today: are they for this state or against it?

Members interjecting:

The SPEAKER: Order!

AUSTRALIAN MAJOR EVENTS

Ms CICCARELLO (Norwood): My question is to the Minister for Tourism. How is Australian Major Events performing in bidding and attracting major events to South Australia?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the member for Norwood, who I know is keenly interested in the tourism sector and particularly in major events, for her question. The major events in South Australia are going from strength to strength, with the event calendar being boosted by new events that have been recently attracted. We have recently won the rights to host the Australian Open Road Cycling Championships, which will be held in January 2005 and 2006. The timing of these events is particularly significant, because January is traditionally a very quiet month in the hotel industry and it is a month during which we can do with extra hotel activity. The particular opportunity for the open road championships will be that it is held the week before the Jacob's Creek Tour Down Under, so that cycle tourists will have a reason to say for about 10 days, as the main event is held the week before the Tour Down Under.

It will see 250 elite male and female cyclists compete in South Australia. Winning this event will make January a particularly good event for our hotels. Continued work has been done by AME and Cycling Australia on this event. However, at the moment we are also working with the

Australian Golf Union, and in conjunction with them are preparing a bid to host the World Amateur Golf Team Championships in the year 2008. As part of the bidding process, Stephanie Parel, Deputy Secretary of the International Golf Federation, was in Adelaide last weekend for a four day site inspection. The event incorporates the Eiesenhower Trophy for men and the Espirito Santo Trophy for women. The AGU Australian candidate will be South Australia and we are competing against the United Arab Emirates to host the tournament.

The successful bidder for the 2008 championships will be announced in October at the 2004 World Amateur Golf Team Championships in Puerto Rico. We have been working smarter to fill the calendar throughout the year and in forward years to generate jobs and dollars for South Australia. The South Australian Tourism Commission has just appointed Leanne Grantham. She will be General Manager of AME, and she will replace Belinda Walters who has been in the role for five years and who has left the organisation in great shape. Ms Grantham comes to the SATC from the Australian Racing Museum and Australian Hall of Fame, where she was the chief executive. Her other major career achievements have included being CEO of the World Masters Games in 2002 which had 24 000 competitors and which was a significant major event, as members can imagine. She has also been chief executive of the Women's National Basketball League.

It is a great tribute to the SATC and AME that they managed to attract such a well-qualified individual, and really this just goes to show that AME has great stature in the industry as an event organiser and promoter.

STATE STRATEGIC PLAN

The Hon. R.G. KERIN (Leader of the Opposition): My question is again to the Premier. Will the Premier commit to establishing a designated web site, as has been created in Oregon, which will constantly monitor on a month by month basis the latest ABS statistics and other economic indices against the targets?

Mr Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is heading for the chook box, and I can tell him what happens in the chook box: you come out a minute later without any feathers.

The Hon. M.D. RANN (Premier): I did not know that the ABS statistics were known in Oregon, but the two guys from Oregon are coming to the Economic Summit Revisited and I am very happy to raise that with them. Maybe, if we can get them to talk with the opposition, they might be more positive about our state's future.

FIRST CLASS AUSTRALASIA PTY LTD

Ms BEDFORD (Florey): My question is to the Premier. What role has the government played to help secure South Australia's latest multimillion dollar export deals; and is there a chance of further export deals for the company involved?

The Hon. M.D. RANN (Premier): The South Australian seafood manufacturer, First Class Australasia, has secured two export deals worth \$15 million for the sale of processed premium grade abalone. The company's export success followed introductions provided by the Department of Business, Manufacturing and Trade and also the South Australian government's Shanghai office (which is an

outstandingly energetic team) to a large Chinese company which owns the leading restaurant chain operating in major Chinese cities.

Of course, I have also been keen to promote South Australia's export opportunities to China, including seafood exports. I did so in 2002, in Hong Kong and Shanghai, and again at the end of last year, in Beijing, Jinan and Xing Dao, and I am looking forward to returning. These export deals are significant, because the Chinese market has traditionally held the view over the years that the best quality abalone comes from South Africa or Japan. This is, of course, clearly not the case.

During their first visit to South Australia mid last year, the Chinese businessmen were particularly impressed by the company's technology for processing premium grade abalone. They made a prompt decision to change from their traditional supplier in Japan to the South Australian company.

First Class Australasia has also signalled another export opportunity, having recently build a new factory at Royal Park. It will produce 100 000 long shelf life ready-made meals a day for domestic and export markets under the name 'Enjoyo-Meal'. The company is confident that, after years of research, its innovative product is now ready to go into full commercial production. If expectations are met, this could be another big export earner for this state. It is in the good hands of Managing Director, Simon Koh, who was named Entrepreneur of the Year at the 2003 Clipsal Hong Kong Australia Business Awards. First Class Australasia has factories located around South Australia at Adelaide, Port Lincoln, Kangaroo Island, Cape Jaffa, Robe, Southend and Port MacDonnell. I am sure that all of us congratulate this achievement on the export front, and I welcome the honourable member's keen interest in the seafood industry.

The Hon. R.G. KERIN (Leader of the Opposition): I have a supplementary question. Given the Premier's answer, will the Premier end uncertainty and announce that the Shanghai, Hong Kong and Singapore overseas offices will remain open? I am well aware of the deal that he has just spoken about, and if it was not for the presence of Ken Xiu and our Shanghai office that deal would not have been made. Over the last couple of months, we have lost staff out of the Hong Kong office because of the uncertainty.

The Hon. K.O. FOLEY (Deputy Premier): I will give a supplementary answer to the supplementary question. We will provide the Leader of the Opposition with a response after consultation with the Minister for Industry, who, as you would know, has responsibility for our trade offices.

ROAD SAFETY

Mr KOUTSANTONIS (West Torrens): My question is to the Minister for Transport. What is the government doing to improve the safety of trucks on South Australian roads?

Members interjecting:

The Hon. P.L. WHITE (Minister for Transport): It is a good question; thank you, members of the opposition. A few Saturdays ago, my first day on the job actually, I spent some time with the South Australia Road Transport Association. I was really pleased to note that the trucking industry is putting a greater emphasis on the professionalism of the industry and the truck operators, and a greater emphasis on safety. That being said, though, as in most industries, there are some who let the rest down when it comes to safety

requirements. A contributor to road crashes involving trucks is fatigue, exacerbated by long travel distances and often unreasonable economic pressures of on-time delivery that pervade the trucking industry.

South Australian road traffic legislation limits the hours that professional drivers are allowed to drive in any 24-hour period and specify mandatory breaks for drivers. In order to enforce that legislation and to foster the protection of all road users, I am keen that South Australia adopt the technology that will help the trucking industry to ensure compliance and safety. So, I am pleased to advise the house that the government has recently awarded a \$913 000 contract to Aspect Traffic Systems for the supply and installation of cameras which support a system called Safe-T-Cam and TruckScan. Safe-T-Cam is a network of cameras with supporting software capable of recording a great deal of essential information about heavy vehicle movements. It is already in existence in New South Wales and is being introduced here in South Australia, thus allowing data exchange between the two states. It will effectively target those in the industry not complying with the regulations, be that speeding or exceeding the mandatory rest break conditions for drivers. The system will provide a mechanism to exchange data with the Roads and Traffic Authority in New South Wales, which is already using the system.

The monitoring system is supported by an ancillary system called TruckScan. This latter system operates at heavy vehicle inspection stations, allowing inspectors to interrogate the Safe-T-Cam sightings, check the registration and licensing data from all states, weigh the vehicle and verify a range of compliance data. This will really revolutionise South Australia's heavy vehicle inspection practices.

The government is committed to improvements in road safety, as all members know. The TruckScan initiative will further enhance the government's capacity to improve the regulatory compliance of the trucking industry. I have written to other jurisdictions to inform them of South Australia's action in this regard, and I have encouraged them to adopt compatible technology so that truck safety throughout Australia is better addressed.

The Hon. M.R. BUCKBY (Light): I have a supplementary question. Given her answer, can the minister advise the house why at rest areas along major highways a red slash has been placed through those signs, not allowing trucks to enter into those areas?

The Hon. P.L. WHITE: I do not see the connection between my answer and the supplementary question, but I will ask my department about what action has been taken, if as claimed by the honourable member there has been a recent change in policy. I will bring back to the house an informed answer to the honourable member's question.

STATE STRATEGIC PLAN

The Hon. R.G. KERIN (Leader of the Opposition): Will the Premier be releasing strategic direction papers that indicate how the government will make its contribution to achieving the 79 targets in the Strategic Plan and, if so, when?

The Hon. M.D. RANN (Premier): This is important because I heard someone on radio this morning speculating about what possible role the government could play. How could we play that role, when presumably people do not think

that the government actually grows the barley or governs the weather? What we can do is go out to the business community and say things like this: what can we most do to help you and your business?

Members interjecting:

The Hon. M.D. RANN: No, don't say that, and I am too polite and bipartisan to repeat what they say about the inept opposition. But they said to me a year ago things like, 'What we need after all these announcements, non-announcements and non-starts is the go-ahead for the airport.' That is about getting important critical infrastructure in place. They also said to me that the next thing, now that we have the Adelaide to Darwin—

Members interjecting:

The Hon. M.D. RANN: They don't want to hear any news about anything positive.

The Hon. R.G. KERIN: I rise on a point of order of relevance, sir. I remind the Premier that the question was: will there be a release of strategic direction papers and, if so, when?

The Hon. M.D. RANN: Tomorrow I will give you some strategic direction papers making announcements about the fact that we are putting \$300 million into infrastructure, including a new deep sea port, which is about getting behind business in this state. Tomorrow I will be making another major announcement, and on Saturday another major announcement, and we have also linked in a super computer capacity which the business community said was badly needed—

The SPEAKER: Order!

The Hon. M.D. RANN: —in this state.

The SPEAKER: Order!

The Hon. M.D. RANN: I will send you each of those press releases—

The SPEAKER: Order! I name the Premier! I invite the Premier to apologise for his disdain for the chair.

The Hon. M.D. RANN: I apologise, sir. Because there are constant interruptions I did not hear you call me, and I profusely and profoundly apologise for any upset I have caused you.

The SPEAKER: I accept the apology. Since the Premier already has the information, it would be courteous for him to provide it to the house now. He has obviously decided and agreed with cabinet that it is to be made public. It is an abuse, if not an arrogant abuse, of the chamber to have policy already determined and to deliberately release it in a manner which suits the spin the government may wish to put on it knowing, at the same time, that the place for policy and the announcement of policy is the parliamentary process and the chambers. It strikes me that the madness of spin doctors has taken over society and that the accountability processes are denied through the parliamentary process which was intended to ensure that it was done in a timely and accountable manner. Notwithstanding my belief that the direction the Premier may be taking this state is sound—it is beside the point—the chair's view is that too, often in the last 20 years, subsequent to my arrival here, that has been the attitude of government to the detriment of the public interest.

The Hon. DEAN BROWN: I rise on a point of order, sir. In light of what you have just said I take a point of order that the report which has been referred to and which was released yesterday has not yet even been sent to some members of parliament, as I understand it.

The SPEAKER: I know; but that is not a point of order. It may be a point of good conduct and good manners and respect for the institution of parliament that, having made the announcement, all duly elected representatives of the people be provided with a copy. That has not happened on several occasions in recent times and it causes me—as member for Hammond, if nothing else—great distress when that does not happen.

PREMIER FOR A DAY COMPETITION

Mr O'BRIEN (Napier): My question is to the Minister for Youth. What were the results of the Premier for a Day competition held for Youth Week 2004?

The Hon. S.W. KEY (Minister for Youth): Yesterday morning, along with the Leader of the Opposition and the member for Hartley, I had the pleasure of attending the presentation ceremony for the Premier for a Day competition. More than 600 young South Australians entered the competition. The winner is Dayffyd Klippel-Cooper, aged 14, from Port Adelaide, and I am sure that the member for Port Adelaide will be pleased to know that someone from his area has won this competition and will spend a working day with the Premier, Mike Rann, as he goes about his duties as Premier of the state. I understand, and the Premier may not be aware of this, that Dayfydd is also going to be issuing the Premier a challenge to say that he would like him to spend a day attending classes at the Glenunga International School—you can tell he comes from Port Adelaide, sir. Not only has he issued a challenge to the Premier to attend classes for a day, but also that the Premier do his homework for that particular night. So, I think it will be an interesting interchange.

Dayffyd has certainly got some interesting views that he has put forward, and some of this came out from the entrants in this competition. What happened was that entrants were asked to submit 100 words on what they would do if they were premier for the day. Dayffyd, as I said, was the overall place-winner for a considered entry, and his main concern was boosting renewable energy production in South Australia. So, he has a number of things in common with our Premier. I also understand that Dayffyd has a real taste for chocolate eclairs and confectionery, so I think there will be a lot of things that the Premier for the Day, as well as the Premier, will share.

It has also been really heartening, and I imagine that the member for Hartley and the leader would agree with me here, to see the high level of public spirit and commitment to South Australia's community in the types of ideas that were put forward by these young people, and also to see the variety of thoughts these young people put forward. As I said, there were 649 entrants. The recurring themes were education, health care, environment (particularly concerns about the River Murray), and homelessness. It is also heartening for our government to acknowledge that these 14 to 25 year olds who entered this competition actually do support the major themes of our government, so I found that connection quite heartening. The other point that emerged was that this has been a result of collaboration between a number of organisations. It came from the Ministerial Youth Council and is being managed by a youth organisation, in this case, called In2Life. It was great to see Channel 10 supporting us yesterday. It was also great that SA-FM has put time into making sure that 'Premier for a Day' is successful. There are many other sponsors that see this as being an important initiative. The

Premier has invited a series of great thinkers from around the world to spend time in South Australia as thinkers-in-residence. It is good to know that, judging from the entrants we had for this competition, we also have young people in South Australia who live here, who think about where we are going in this state and who are very enthusiastic about making sure that South Australia is the best place to be.

STATE STRATEGIC PLAN

Mr HAMILTON-SMITH (Waite): My questions are to the Premier. Why did the Premier and Deputy Premier offend the house and insult all members yesterday by not providing each of us with a copy of the population policy and the state's strategic plan released to the media that morning? Will the government agree to respect the house by ensuring that copies of all future strategies and policies are given to members on the day, whether sitting or not?

The Hon. K.O. FOLEY (Deputy Premier): I will come back to the house with a more detailed response as quickly as possible. I understand that the Leader of the Opposition was provided with copies of the state's strategic plan prior to—

Members interjecting:

The Hon. K.O. FOLEY: Well, I stand to be corrected. I understand that the Leader of the Opposition was briefed by Robert Champion de Crespigny. Is that correct?

The Hon. R.G. Kerin: No.

The Hon. K.O. FOLEY: No meeting with Robert de Crespigny?

The Hon. R.G. Kerin: No.

The Hon. K.O. FOLEY: My understanding is that it may well have been about the economic summit.

Mr HAMILTON-SMITH: I rise on a point of order, sir: the minister is debating the issue. Apart from that, my question was that all members of the house, whether in the opposition, Independents or members of the government, have a right to expect that copies of such important policy documents be provided to them on the day of the announcement.

The SPEAKER: Order! That equally is debating. I uphold both points of order. In the first instance, the Deputy Premier was trying to deflect attention away from the fact that honourable members had not been provided with copies of the reports which had already been distributed to the public, even though statements to the house were made by ministers about them. More particularly, the question was focused upon whether or not that would happen in the future, not whether the minister had arranged or whether a briefing had happened for the Leader of the Opposition. The Leader of the Opposition has no connection to me, and I am yet a member of this place, believing that I, too, have 22 000 constituents to represent and a duty to inform them.

The Hon. K.O. FOLEY: I was not attempting to deflect, I might add. The answer is simple in that I will come back with a response as soon as I seek the information from the appropriate staff; however, a copy was provided, I understand, to the Leader of the Opposition and to the shadow treasurer prior to question time. I will have this confirmed, but my advice is that it was posted on the parliamentary network yesterday afternoon—I will advise the house as soon as possible.

GREEN PHONE

Mrs GERAGHTY (Torrens): Will the Minister for Consumer Affairs inform the house whether he will be releasing the Green Phone Liquidator's report? If not, why not?

The Hon. M.J. ATKINSON (Minister for Consumer Affairs): I thank the member for Torrens for asking me this question, which is of great interest to the people living in the South-East. Given the interest in the matter, I was keen to release the report of the liquidator to the public. However, the Crown Solicitor has advised me that the liquidator's report is not a public document and that it would be contrary to the Corporations Act 2001 for me to release it. The Office of Consumer and Business Affairs, which incorporates the Corporate Affairs Commission, received the liquidator's report on 18 February this year.

The liquidator's report was lodged pursuant to section 533 of the Commonwealth Corporations Act. Such reports are usually lodged with the Australian Securities and Investments Commission. However, in accordance with the Associations Incorporation Act 1985, in this case the liquidator's report was lodged with the state Corporate Affairs Commission. Section 1274(2)(a) of that act provides that a person may inspect any document lodged. However, various exceptions are then listed, one of which is a report made or lodged under section 533. I refer there to the Corporations Act, which provisions are picked up by reference in the state Associations Incorporation Act. It is the state act under which Green Phone was a body corporate.

I am mindful of the consequences that may flow from a well-intentioned attempt to keep the public informed by the disclosure of reports. In particular, the Christies Beach Women's Shelter case is a good example of the need to be aware of any legal restrictions on the release of a document, even when it is to be tabled in parliament. In this case I am advised that the disclosure of the liquidator's report is contrary to the act. This is regardless of the content of the report.

The Crown Solicitor's Office does not necessarily accept that the report discloses the commission of offences, in fact Mr Mack did make that comment in *The Border Watch* yesterday. I am now advised that *The Border Watch* has agreed to print a retraction of Mr Mack's comments. Nevertheless, the Corporate Affairs Commission is currently obtaining advice from the Crown Solicitor's Office as to the possibility of any prosecution under the Associations Incorporation Act, as it is critical that the commission examines very thoroughly the events that led to Green Phone's downfall. Everything possible is done to ensure that such a debacle does not recur.

The liquidator's report will not be released on legal advice. However, the public can be assured that a close examination of the association's activities is being undertaken to unravel the history and to determine what, if any, action can be taken.

SOUTHERN SUBURBS HEALTH SERVICES

Mr BROKENSHIRE (Mawson): My question is to the Minister for the Southern Suburbs. Why has the government failed to purchase land and fund capital works for a new school, community health services, sewerage developments and the like in the Aldinga-Sellicks Beach area to accommodate growth in both existing and approved developments? I

am advised that Willunga Primary School has had to zone the school to prevent students from the Aldinga-Sellicks area accessing the school due to a saturation of student numbers.

The Hon. J.D. HILL (Minister for the Southern Suburbs): I thank the honourable member for the question. The issues to do with population growth in the southern suburbs are taking up a great deal of my time and that of my officers at the moment. As the honourable member would know, over the past 10 years the value of land in the Aldinga-Sellicks area has been relatively low and there has not been a great demand for land. With the property boom over the last year or two, there has been an upsurge in the demand for land in that area. Property owners who have owned parcels of land for up to 30 or 40 years have suddenly seen the opportunity to make a good return on the investment that they may have made some time ago.

By and large, the land has been zoned for residential purposes—in some cases, going back to the 1960s and certainly as far back as the 1980s. So, this land has been sitting there, zoned as residential, just waiting for a property developer to come along, cut it up and try to sell it. Three or four parcels of land have now been put either on the market or in the development planning process. Of course, that has implications for services in the southern suburbs, and the government is aware of those issues. The process of having that land developed and sold will take a period of time and, as the government, we have brought together the heads of the appropriate infrastructure departments and agencies to work out a strategy to ensure that the services are brought onstream at the same time as the property developments occur.

Particular issues are education, health and a number of other infrastructure issues. In relation to education, the government owns land in the southern suburbs which would be available to construct a school. I understand that they have been looking at which parcel would be appropriate for an additional school, if an additional school were needed. I have had conversations with the principals of the Aldinga primary and junior primary schools, who have put their view to me that they could expand their schools' population to take into account quite a large number of additional children, but I cannot remember the exact number. In part, they were arguing against the need for an additional school, but we are working through those issues.

Of course, health is a different issue. As the member knows, there is a shortage of doctors in the southern suburbs, and it is not a matter that the state can address on its own. We can address it through the emergency services of the local hospitals, and that is why they are under strain, but they may be 40 or so doctors short—but the Minister for Health can advise me of the exact number. In large part, that is the responsibility of the federal government because of the arrangements it has in place that do not allow doctors to establish themselves in those areas. The federal government will not allow the Aldinga-Sellicks area to be classed as regional rural from the point of view of the categories that they have in place. I have written to the commonwealth government asking them to do this.

Another point I make in relation to the allotment which is currently the subject of dispute in the southern suburbs and which was in the media over the last couple of days is that the government was able to negotiate with that developer during the course of that development. A sum of money was negotiated (some \$450 000), and about half of that will be used to help protect the Aldinga Scrub. The other half will be

used to help support infrastructure, particularly in the areas of child care and health services. We are working as best we can to try to get on top of the situation. Another point I would make was also made by my colleague, the Minister for Planning. We have put in place a moratorium on other developments over the next 12 months so that we can introduce a staged process. We are dealing with old planning laws, and we are trying to get those up to date.

POLICY DOCUMENTS

Ms CICCARELLO (Norwood): Is the Deputy Premier able to provide the house with information concerning the distribution of government policy documents to the opposition?

The Hon. K.O. FOLEY (Deputy Premier): I look forward to the Leader of the Opposition returning to the house.

The SPEAKER: Order! Just a short while ago, the member for Waite asked a question about reports being provided to members of parliament. The Premier said that he would come back to the chamber with that information and that, as soon as he had the information, he would provide it to the chamber. The chair has remarked before that it is not courteous, leave alone orderly, for a question that has been asked by one honourable member, most likely, one assumes, a member of the opposition, to be answered by saying, 'When I get the information, I will provide it,' and then, within a matter of minutes or, indeed, during the course of question time, for another honourable member to ask the same or similar question to which the information in reply is provided, as was sought by the first questioner. It is not necessary to ask a question; indeed, it is discourteous to the member who asked the original question.

More importantly, it should be the subject of a simple ministerial statement at the conclusion of question time, rather than be the subject of a further question that really demeans the initial inquiry that has been made and attributes the inquiry to the second questioner. Notwithstanding that, on this occasion I will allow it, although never again.

The Hon. K.O. FOLEY: Mr Speaker, I was accused by the member for Waite of a number of—

The SPEAKER: Order! The Deputy Premier was accused of nothing.

The Hon. K.O. FOLEY: Mr Speaker, indeed you remarked, from memory, that some discourtesy occurred. The Leader of the Opposition needs to explain to the house now, if my information is correct. I am advised that 30 copies of the population policy were delivered to the office of the Leader of the Opposition yesterday morning—30 copies! For me to be accused by an opposition of not providing copies to Liberal MPs when they were given to the Leader of the Opposition, the Leader of the Opposition should explain—

The SPEAKER: Order! I say to the Deputy Premier and all other members that it does not matter a fig what party they belong to. They are not here because they belong to parties or do not belong to parties. They are here because they were elected by just over 22 000 South Australians. They are honourable members in their own right, regardless, and they are each entitled to the same courtesy. Ministers will accord that respect. It is not the duty of any one member, whether or not the leader of a group, to distribute material amongst any of the other members of this place, other than that the

minister who has the information should provide it to all equally and in a timely manner.

The Hon. K.O. FOLEY: Mr Speaker, I can also say that I am advised that the state's strategic plan was posted on the internet at around 1 p.m. yesterday. If the leader was given—and perhaps he can explain—30 advanced copies yesterday morning, how can I be accused by the member for Waite of being discourteous to members of the opposition? I stand to be corrected by the Leader of the Opposition.

The SPEAKER: Order! More particularly, the Deputy Premier invites me to correct him. The member for Waite did not accuse the Deputy Premier. The member for Waite made the point in explanation of his question (which sought to discover whether or not reports would be provided in future) that they had not been provided to him so far as he was aware previously. The member for Waite is entitled to ask that question. It is not an accusation intended to cause offence.

The Hon. K.O. FOLEY: I have given the answer, sir.

The Hon. M.J. ATKINSON: Mr Speaker, I rise on a point of order. I have been a member of parliament for 14 years and I have been watching parliament for longer. When a matter becomes a matter of contention and new information becomes available to the government, surely it is not merely the right but the bounden duty of the minister concerned to bring that fresh information to the house as quickly as possible.

The SPEAKER: The Attorney-General asks a rhetorical question which contains the answer to the inquiry put. It is, if he needs reassurance.

SOUTHERN SUBURBS HEALTH SERVICES

Mr BROKENSHIRE (Mawson): My question is again to the Minister for the Southern Suburbs. As the Minister for the Southern Suburbs, will he ensure a community health centre facility is built in conjunction with a private general practice clinic in the Aldinga-Sellicks area to provide a range of GP and allied health services, including some after hour services as a matter of urgency for the constituents of that area?

The Hon. J.D. HILL (Minister for the Southern Suburbs): A range of hypotheses form the basis of the member's question. I can say in response to that particular element that I am working through a process, which I have already described, to get some outcomes that will ensure that appropriate services are provided in the southern suburbs to take into account the growing populations. Issues to do with the budget are issues to do with the budget.

RECREATION AND SPORT GRANTS

Mr CAICA (Colton): My question is to the Minister for Recreation, Sport and Racing. What are the details of the changes in the grant programs for active recreation and sport?

The Hon. I.F. EVANS: I rise on a point of order, Mr Speaker. I believe that the minister has already written to every member of parliament about this matter, so it is effectively before the house.

The SPEAKER: I uphold the point of order.

FAIR WORK BILL

The Hon. I.F. EVANS (Davenport): Is the Minister for Transport aware that the government is specifically targeting the transport industry through the negative provisions in the draft fair work bill?

The Hon. P.L. WHITE (Minister for Transport): A lot of misinformation is being spread, and a lot of stirring up is being done by the opposition in relation to that legislation. As the Minister for Transport, I can guarantee that the government has its eye keenly on the safety of our industry in terms of freight, and passenger and public transport, and we will remain focused on that important agenda. We are particularly focused on the issue of road safety, and we are doing everything in our power to make sure that we support the industry in terms of infrastructure. We have just announced funding of over \$300 million for infrastructure and an infrastructure plan that will really help the freight and heavy vehicle industry in this state. So, for the opposition to continually try to prick holes in the government is undermining an industry that presently needs the support of the opposition, not undermining. Where is the opposition in lobbying the federal government for the funds we need in the AusLink infrastructure that the federal government is currently thinking about? Where is the opposition in lobbying with us—

The SPEAKER: Order! The minister is now debating the question.

The Hon. I.F. EVANS: I have a supplementary question, again to the Minister for Transport. Given that the Road Transport Association has put in a submission asking for the draft fair work bill to be withdrawn, does the minister support the transport industry being targeted by the draft fair work bill, and why?

The Hon. P.L. WHITE: There will be a lot of debate over this legislation and all other legislation, and many groups will put in their views, as they already have. The minister leading that particular piece of legislation, together with cabinet, will obviously consider all those views.

SCHOOLS, PARAFIELD GARDENS HIGH

Ms CHAPMAN (Bragg): My question is to the Minister for Education and Children's Services. Why has the Department of Education and Children's Services neither consulted with the school nor advertised publicly for the position of principal at the Parafield Gardens High School? A letter signed by 50 staff at Parafield Gardens High School was sent to both the Premier and the minister over two weeks ago stating:

At no time during the appointment of a school principal for 2004 was the school community or staff consulted.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I understand that that appointment was made on either an acting or temporary basis and that the position will be called next year.

Ms CHAPMAN: I have a supplementary question. Why then for the two-year period has Parafield Gardens High School not had it advertised as a permanent position?

The Hon. J.D. LOMAX-SMITH: I have learnt from experience that before responding to a question I should

check the facts. I am not sure where the honourable member has got the two years—

Members interjecting:

The SPEAKER: Order! Members on my left will not treat answers provided by ministers with such disdain as to make it impossible for other honourable members, the chair included, to be able to hear the reply.

The Hon. J.D. LOMAX-SMITH: I am not sure where the suggestion of two years has come from, and I will check that matter with the department.

Ms CHAPMAN: Might I assist the minister to confirm that, when she says she is not sure, after the departure of the principal, Ms Teasdale-Smith last year—

The SPEAKER: Order! Either the member for Bragg has a point of order or another question. This is not assistance time. It is called question time.

Ms CHAPMAN: Thank you, sir. I will ask a supplementary, and I direct that question to the Minister for Education and Children's Services. Will the minister confirm why a permanent position was not offered for part of 2003 when principal Teasdale-Smith left the school and a temporary appointment was made, and when a second temporary appointment was made for 2004? Why has a permanent position not been advertised for that school?

The Hon. J.D. LOMAX-SMITH: I said earlier to the member for Bragg that I would be happy to check her allegation about two years, and I hold to that. I will go back to the department and find out whether the matter of two years is an accurate representation of the issue.

In relation to the honourable member's second question, again I say that I will take that question back to the department and check the veracity of her information and her inference, and come back with a response.

FAIR WORK BILL

The Hon. I.F. EVANS (Davenport): My question is to the Minister for Industrial Relations. Why did government officers at a briefing to the Industrial Relations Society advise that meeting that the government was targeting specifically the transport industry through the Fair Work Bill?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): The member for Davenport has raised a question that I am happy to check. I would like to check the detail because, quite often, assertions that are made do not always turn out to be exactly the case. In respect of the Fair Work Bill, as I have said to the house before, it is about fairness for all workers. What the member for Davenport is largely talking about is contractors, and the bill that is currently out for consultation, as has already been said by the Minister for Transport, will take account of the representations that are made. Of course, as I have spoken about previously, in trying to provide for fairness for all workers in many cases, much of the bill, although not necessarily in every case but certainly in this case that the member for Davenport is drawing attention to, is modelled on legislation that has been in operation in other states for, in some cases, many years. We will certainly take account of representations that are made to us, because this government takes consultation seriously, unlike the previous government. With regard to the specific accusation that has been made, I will check the detail.

VOLUNTEERS

Ms RANKINE (Wright): My question is to the Premier. What has been the reaction of the local government sector to the state government's volunteer partnership?

The Hon. M.D. RANN (Minister for Volunteers): The Mayor of the town of Gawler, Tony Piccolo—

Members interjecting:

The Hon. M.D. RANN: I sense that there are members opposite quite negative towards the town of Gawler. The mayor of the town of Gawler, Tony Piccolo, approached the government recently, through my hard-working parliamentary secretary, for assistance in developing a volunteer partnership between his council and the local volunteer community in the Gawler area. I am advised that Gawler will be the first local council in South Australia to develop such a volunteer partnership. Following the lead from the state government and its volunteer partnership Advancing the Community Together, a charter will be developed between local volunteers and the council in order to support and promote volunteering in the local region. Mayor Tony Piccolo has been a strong supporter of local volunteers and the charter will, for the first time, give volunteers formal input into council decision-making processes.

In South Australia our 420 000 volunteers contribute nearly \$5 billion to our state's economy. The Gawler charter is aimed at delivering greater support for volunteers, especially young people. The state government will be assisting the development of the Gawler charter through support from its Office for Volunteers. A memorandum of understanding was signed by myself and Mayor Tony Piccolo at the Gawler community cabinet meeting on 14 March 2004. The development of local government volunteer partnerships was identified as a priority during the implementation of the state government's volunteer partnership. Local government volunteer partnerships have been implemented in various local councils in the United Kingdom over the past five years. I congratulate the town of Gawler and its mayor, Tony Piccolo, on their commitment to community-building, and I hope that the charter will become a template for many other partnerships between councils and volunteers in their local communities.

The Hon. I.F. EVANS (Davenport): I have a supplementary question. Given his answer about volunteers, is the Premier concerned that under the draft fair work bill volunteers can be made employees?

The Hon. M.J. WRIGHT (Minister for Administrative Services): The leader—or, I should say, the leader-in-waiting—has made some accusations about this draft bill, which is out for consultation. They are simply not the case and I reject this accusation made by the member for Davenport. There have also been other accusations made by certain people in regard to how this draft bill will apply. We have been able to demonstrate that myths that have been put out in the public arena are simply not the case. As I have said before, what this draft bill is all about is fairness for all workers. That is what this bill is that about; it is about providing fairness for all workers. And, of course, in providing fairness for all workers, obviously we take account of employers as well.

SCHOOLS, BUDGETS

Ms CHAPMAN (Bragg): Will the Minister for Education and Children's Services explain why schools' global budgets have been debited for last month's school support officer salaries, and when will it be refunded—given that Myponga Primary school contacted the department and was advised (and I quote), 'We don't know; I haven't been given the script yet on what we have to say.'?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I am delighted to answer the member for Bragg's question, particularly the matter of the Myponga school. The Myponga Primary School is one that has come in for great attention from the member for Finniss, and he has put out some extraordinary press releases about the cuts to school funding that he claims we have made. No mention was made of primary schools receiving an extra \$10 million nor was any mention made of 135 schools getting counsellors.

Ms CHAPMAN: On a point of order: whilst the minister may have important subject matter to canvass in the house, my specific question was why school global budgets have been debited for last month's SSO salaries; and when are they going to get it back?

The Hon. J.D. LOMAX-SMITH: The matter of Myponga School relates to a series of misinformation and pieces of inaccurate information being promulgated by the member for Finniss. The funding for schools has—

Members interjecting:

The SPEAKER: Order! The member for Torrens, amongst a whole range of honourable members, has begun again to want to participate in debate. We are still in question time. This is not grievance debate yet. We should observe the standing orders which we have adopted to determine how we will conduct our affairs during Question Time.

The Hon. J.D. LOMAX-SMITH: The matter of the Myponga funding is complex because there was a no worse off commitment given, I understand, by the last government relating to the resourcing model or the global budget.

Ms CHAPMAN: A point of order: I regret having to raise it again, but my question is not about the funding in this school but it is about why SSO salaries have been debited, and when they are going to get it back. That is the simple question.

The Hon. J.D. LOMAX-SMITH: My understanding of the funding for that Myponga school is that at the moment there is a projected funding model that relates to the number of children. The actual funding for the year will not be determined until the enrolments have been calculated for the whole of the calendar year.

Members interjecting:

The Hon. J.D. LOMAX-SMITH: The implication is that money has been taken away. I am informed that no money has been taken away, no money has been cut, but the amount of money that goes to the school relates to the number of children enrolled. For the moment, if there are the same number of students at the school this year as there were last year, they will actually get more money. However, the actual amount they get for the year depends on the enrolments and, allowing for that, there may be cashflow issues—

The Hon. DEAN BROWN: I rise on a point of order. The minister is making no attempt whatsoever to answer the question that was asked; therefore, I ask that she do so or sit down.

The SPEAKER: The minister has provided the house with as much information as is comprehensible about the matter.

DEPUTY PREMIER'S REMARKS

The Hon. R.G. KERIN (Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. R.G. KERIN: I want to clarify something for the house. I was in the lift when the Deputy Premier spoke, so I am not too sure what he said, but I will try to put forward the facts for the information of members. There are two issues from yesterday: one is the population policy. It is true that a box containing 30 copies of the population policy was sent down yesterday. It was a box addressed to the Leader of the Opposition's office. There was a letter with it which said, 'Please find enclosed copies of the South Australian population policy, 'Prosperity through People', for your information. Further copies can be downloaded from. . . (and it states the web address). The issue is about a junior clerical person in my office receiving, at about midday yesterday, a box and opening it. It does not fulfil the responsibility to send a box to a junior—

The Hon. M.J. ATKINSON: On a point of order, sir, personal explanations must never be debated. This one is now being debated.

The SPEAKER: Order! The Attorney-General on the one hand wants to be able to provoke through interjection the Leader of the Opposition when the leader has been given leave to be heard in silence in explanation of where he believes himself to have been misrepresented and then, having successfully baited the bear, expects me to come to his defence to kill the bear. I am telling the bear: have your go.

The Hon. R.G. KERIN: The point is that there was absolutely no suggestion whatsoever that other members had not received it or should distribute it, and there was no mention whatsoever of the urgency.

The SPEAKER: Order! The house has now heard the explanation.

The Hon. R.G. KERIN: As to the other issue of the strategic plan, it is true that I received one copy of the strategic plan just before question time and no instruction about other members. To clarify what the deputy said about my receiving a briefing from Robert Champion de Crespigny: that is not correct. I received a briefing about the program on Saturday. Being asked about the strategic plan, Mr de Crespigny made clear to me that there was a government strategic plan and he was in no position whatsoever to brief the opposition on it, so the Deputy Premier's assertion is not correct.

The SPEAKER: The last remark was debate. The house itself member by member can determine the accuracy or otherwise of such circumstances.

TRUCK REST STOPS

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

Leave granted.

The Hon. P.L. WHITE: Earlier in question time today the member for Light asked me a question about why at rest areas along major highways a red slash has been placed through signs not allowing trucks to enter into those areas, and in response I said that I would find out from my department whether there had been a recent change in policy. I can now provide that information. My department advises me that the symbol of a truck with a slash through it has been in use for well over 20 years. Just for the record, it is a symbol found on the large blue rest area roadside signs and is used to inform truck drivers that the location is not appropriate for a large vehicle; it is a useful warning sign. Simply, the location is either too narrow or it is in an information bay for tourists and that sort of thing. They are simply a warning and are not bound by regulation.

Given this government's focus on road safety, the department is in the process of ensuring that, where such a symbol appears, an alternative rest area is provided at a nearby location. Addressing fatigue, particularly for the trucking industry, is a key component of this government's road safety reform agenda, and this will continue to be addressed.

STATE OF THE ENVIRONMENT REPORT

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

Leave granted.

The Hon. J.D. HILL: The fourth State of the Environment report for South Australia was released by the EPA in November last year. The five yearly report represents the most comprehensive document available on the current state of South Australia's environment and the pressures upon it, primarily as a consequence of human activities. One of the major goals of SOE reporting is to help drive the future environmental sustainability agenda for South Australia by providing scientifically credible information and assessments to inform government decision making.

To this end the government is preparing a detailed response to each of the report's 116 recommendations. I previously indicated that I expected to have a full response by April this year, but I am now advised that due to the length and complexity of that response additional time is needed. I have further been advised that a final response will now be available some time around mid year.

GRIEVANCE DEBATE

The SPEAKER: Does the Attorney have a statement to make?

The Hon. M.J. ATKINSON (Attorney-General): A grievance, sir.

Members interjecting:

The SPEAKER: It is a convention of the house, although not stated in standing orders, that the first grievance will be by a member of the chamber who is not a member of the group led by the Premier.

STATE STRATEGIC PLAN

The Hon. R.G. KERIN (Leader of the Opposition): Thank you, sir. I think that shows how much the Attorney knows about the house. I know that the Minister for Transport is not present in the chamber, but the statement just made by

her ignores the reality, because she said that this has been policy the years. Truck stops in my area have had a red slash put across them in the last few weeks, and in some of those areas there is now nowhere for truck drivers to pull up to rest. That statement was outrageous, and she should go back to her department and get instructions.

Today, I would like to talk briefly about the so-called strategic plan. At last we have a strategic plan. We are disappointed with its content, but at least after two years we have a piece of paper from the government which states that it has some goals and targets. We agree with a lot of them, but a year 12 focus group probably could have put most of them together.

The Hon. I.F. Evans interjecting:

The Hon. R.G. KERIN: That is right. The big problem is that the plan contains nothing at all about how we achieve them. We need some intelligence—

Members interjecting:

The SPEAKER: Order! The member for Kavel, and others assisting him, really need not bother. On behalf of the rest of the chamber, I reassure them that the Leader of the Opposition is making his point soundly and well and is best left to do so alone.

The Hon. R.G. KERIN: What we really need from this government is some intelligence. We need it to tell us how we meet these goals. These are important goals; we are not arguing about that. They are now set, but there is not one word in the plan that I can find which tells us how we achieve them. We need some leadership in this state to tell us how to do so. It is easy for the Premier, the Treasurer and the government to say that it is up to someone else. This is a joint aim. If someone asks the government what it is going to do about it, it says, 'Well, what are you going to do about it?' It is about time that someone took a leadership role. Otherwise, it will be like football training, with handballs going back and forth. Sooner or later, someone has to take a leadership role and say, 'We are the government. We will do this, and we want industry to do that.' Unless someone says that, there is no way that we will meet these targets.

These are good targets, and there is nothing wrong with them, but we need leadership. We need this government to grasp the nettle, spend some money and have some courage. Instead, it sets targets, calls them courageous and says that no government has ever been judged in this way. Like hell! The one thing we are all judged by is the ballot box.

The Hon. M.J. Atkinson interjecting:

The Hon. R.G. KERIN: At the last election, the Labor Party had a minority, if the member for Spence really wants to know. Talking about the ballot box, what a magnificent four-year strategy the government has had. Half way through its term, it announces a strategic plan, but the Premier confirmed today that he is not prepared to be judged on it during this term of office. They will leave it until June 2006, so that means it will be July 2007 before they make the first judgment.

An honourable member: They won't be there then!

The Hon. R.G. KERIN: They will not be there then. The other offer which was made, which should not be ignored—

The Hon. M.J. Atkinson interjecting:

The Hon. R.G. KERIN: Excuse me! Will the Attorney listen—and which was very generous, was that the Premier will actually give a press conference, when he will report on how well he has done—and that will be in 2014. What a courageous, generous offer!

Nothing in this plan addresses our current problems. People have lost jobs. As President of the ALP, the member for West Torrens should be very worried. About 22 000 South Australians have lost full-time jobs; 15 000 women have lost full-time jobs, and 8 000 jobs have been lost from the retail sector. Exports are going down. They are the things that drive this economy. They are the things that create jobs. Instead of that, we are worried about all these 10-year goals; press conferences in 2014; no reporting until after the next election. Today the Premier backed away from being an accountable government at all.

KATYN FOREST MASSACRE

The Hon. M.J. ATKINSON (Attorney-General): On 1 September 1939, Germany invaded Poland from the west, and 17 days later the Red Army marched in from the east. The new German-Soviet boundary, the so-called Ribbentrop-Molotov Line, was established leaving Poland divided between German and Soviet domination. This was followed by a barbarous international crime, the Katyn Forest Massacre, which was veiled for decades under the fog of war and obscured by—

Mr Hamilton-Smith interjecting:

The Hon. M.J. ATKINSON: The member for Waite says he is not sure who committed the Katyn Forest Massacre.

Mr Hamilton-Smith: Historians are not fully agreed.

The Hon. M.J. ATKINSON: The member for Waite says that historians are not agreed on who committed the Katyn Forest Massacre—a very interesting statement from the Liberal Party. It was obscured by the Iron Curtain that darkened Europe's east. In April 1940, 4 421 members of Poland's intelligentsia from the Polish territory that fell into Soviet hands were murdered—and the member for Waite has just questioned that fact. Katyn Forest is an area a short distance from Smolensk in Russia where, on Stalin's orders, the Narodny Kommissariat Vnutrennykh Del (NKVD), or the People's Commissariat for Internal Affairs, shot and buried the Polish service personnel who had been taken prisoner at the commencement of the Second World War.

Documents that have now come to the fore since the collapse of the USSR show that in March 1940 NKVD head, Larenti Beria, sent a letter to Stalin bluntly suggesting that he have a third of those Poles in Soviet custody shot. An excerpt from the letter reads:

Order the USSR NKVD to pass judgment before special courts on . . . the 11 000 members of the diverse counter-revolutionary espionage and sabotage organisations, ex-landowners, factory managers, ex-officers of the Polish Army, officials and renegades who have been arrested and are being held in the prisons in the western regions of Ukraine and Belorussia, so that the supreme penalty be applied, death by firing squad.

Most of the victims in Katyn Forest were Polish Army Reservists—lawyers, doctors, scientists and businessmen—who were called up to active service following the German invasion of Poland. One account describes the slaughter as follows:

The Poles were driven up to the burial pits in long NKVD prison trucks known as black ravens. They were pulled from the trucks one at a time by the NKVD guards. Each Polish prisoner had his hands bound behind his back and was then dragged to the edge of the pit. There two NKVD men held him while a third fired a pistol bullet into the back of his head. Some struggled and were bayoneted by NKVD guards before being shot and thrown into the pit.

The member for Waite, a Liberal front bencher, disputes the accuracy of the information I am giving the house, and I ask

him to apologise to the Polish Australian community. In 1943, the advancing Nazis exhumed the Polish martyrs—

Mr HAMILTON-SMITH: Mr Speaker, I rise on a point of order. I have made no such statement and ask the Attorney to withdraw the—

The SPEAKER: Order! The member for Waite cannot engage in debate. The member for Waite may choose to make a personal explanation later.

Mr HAMILTON-SMITH: Sir, I rise on a point of order. I am deeply offended by the Attorney-General's accusation and I ask him to withdraw.

The SPEAKER: That is a point of order. The Attorney-General has offended the member for Waite and seeks that the Attorney-General should withdraw the accusation.

The Hon. M.J. ATKINSON: The member for Waite interjected at the very beginning of my speech doubting the veracity of claim that the Soviet Union was responsible for the Katyn Forest Massacre and said that it was a matter of historical conjecture. In 1943—

Mr HAMILTON-SMITH: I rise on a point of order, Mr Speaker. There was an interjection, but that was not the claim. I am deeply insulted by the Attorney-General's accusation, and I ask him to withdraw.

The SPEAKER: The Attorney has said that he will not withdraw. I understand the feelings of the member for Waite. It is not unparliamentary, and it might be the subject of a personal explanation. The Attorney-General.

The Hon. M.J. ATKINSON: Who committed the Katyn Forest massacre is not, as the member for Waite claims, a matter of historical conjecture. In 1943, the advancing Nazi troops exhumed the Polish martyrs and rightly blamed the killings on the Soviets. In 1944, the Red Army re-took the Katyn area and exhumed the Polish dead again, and then blamed the Nazis. Despite the discovery of the killing field and the knowledge of these mass graves, President Roosevelt and Prime Minister Churchill labelled this horror to be a German plot. The aim was to boost the war spirit of the Anti-Nazi Alliance. After the Second World War, this falsehood was maintained by Communists in the west and their fellow travellers.

In 1989, with the demise of the Soviet Empire, President Gorbachev finally admitted that the NKVD had executed the Poles and confirmed two other burial sites similar to the site at Katyn. About 22 per cent of the Polish population was killed, mostly murdered, by invaders from the east and west during the Second World War. It was not until 1995 that Lech Welensa and relatives of the Katyn Forest victims attended a memorial service at the site of the massacre. Boris Yeltsin was invited to take part in the ceremonies but declined. The Polish media denounced the Russian President's decision, saying, and I quote the newspaper *Zycie Warszawy*:

There has been no apology of the kind that Germany has long since made. This day could have been a symbol of reconciliation between two nations tragically marked by Communism. Instead it is a bitter shame and Katyn Forest continues to cast its dark shadow.

Poles around the world remember the sacrifice of their countrymen and wait and pray for an apology that it seems may never come.

Mr HAMILTON-SMITH (Waite): I seek leave to make a personal explanation.

Leave granted.

Mr HAMILTON-SMITH: The Attorney-General has maligned me and accused me of refusing to acknowledge the

death of Polish citizens at Katyn Forest and that those killings were not committed by the Russians. I interjected that historians had not always agreed on the circumstances of who killed the Poles at Katyn, whether it was the Nazis or the Russians. The Attorney himself has acknowledged that there was disagreement on that issue and that the true facts have only recently been revealed.

However, the Attorney sought to malign me and to interject in his remarks so as to portray me as somehow offending the Polish community by not acknowledging what had occurred. He is wrong, and I place on the record that I have been misrepresented.

The SPEAKER: Order! The honourable member must not debate the explanation.

Mr BRINDAL: I rise on a point of order, Mr Speaker. I crave your indulgence. I am actually not sure whether this is a point of order or, in fact, a matter of privilege. I ask you to consider, sir, subsequent to this debate and the personal explanation of the member for Waite, were any member of this house to circulate part of that contribution without circulating the explanation of the honourable member—that is, if the record was divided so that it looked like the member for Waite did something which he has now refuted—would that constitute a breach of the standing orders of this house or, in fact, be a breach of privilege?

The SPEAKER: No. All honourable members need to treat with respect the other 46 honourable members who have been elected by citizens of South Australia no less significant and no less deserving of their respect than the citizens who have elected them. The fact that honourable members are here not in their own interests but to represent others ought not be overlooked.

I have considerable feeling for what the member for Waite has said, although I have to tell him that for me to further elaborate in this position would not be fruitful and that the honourable the Attorney-General did not intend to offend him but rather to draw attention to what he, the honourable the Attorney-General, mistakenly believed he, the member for Waite, had said when he was interjecting.

It is a salutary lesson to all honourable members not to interject on controversial issues. It could mean that they are taken by others who do not respond quite differently from the way in which they are stated. It will avoid wasting the time of the house in trying to clarify the issues and solve problems and resolve quarrels if honourable members show that respect, not so much to each other—

The Hon. M.J. ATKINSON: Sir, can I help?

The SPEAKER: No, I think that the matter has now been dealt with and the honourable member for Waite, as well as the Attorney-General, knows full well what I am referring to in my feelings. The honourable member for Light.

CONCEPT BUILDING DESIGN SYSTEMS

The Hon. M.R. BUCKBY (Light): I rise today to make the house aware of a particular company that has been operating, even though one of the members of that company has been declared bankrupt twice. The company is Concept Design Building Systems, and it has been advertising American barns in various magazines and journals. One of my constituents, Mrs Lynn Leopold, last year ordered one of the barns and paid \$22 000 for it. Mrs Leopold is furious at the moment because the company has gone broke and a lot

of people—22 others I am informed, including her and her husband—stand to lose a great deal of money.

The problem is that Consumer Affairs appears to have been remiss in following up concerns about the company. In December last year when Mrs Leopold rang Consumer Affairs, she was told that there was no problem with the company at all. In fact, she had paid the money in July and had not received the barn. Information had also been provided to her that many others were experiencing the same problems and had reported them. Apparently, as I said, the people behind the company have been bankrupt twice, and the question arises as to why they have been allowed to operate a business again.

It would appear that Mrs Leopold is fortunate in that the barn shell has been manufactured and is sitting in a warehouse, but they will have to pay another \$13 500 because Concept Design Building Systems has not paid the contractor who has it in the warehouse. In addition, they bought windows to the value of \$6 000, arranged for electrical wiring to the value of \$2 000 and have paid council fees and various other small items. All up, Mrs Leopold believes that to get the barn in the end they will probably pay double the value of the \$22 000 that was originally paid for it.

On 24 February I wrote to the Minister for Consumer Affairs and advised him that there was a concern regarding this company and also that, at least until December 2003, the Office of Consumer and Business Affairs was not advising people who rang up about this company that complaints had been made. In my letter to the Attorney-General I stated:

Mrs Leopold wants to know why Consumer Affairs did not alert consumers to the problem earlier. It seems that the people who are behind Concept Design Building Systems Pty Ltd have been bankrupt twice before. Mrs Leopold questions why they were allowed to go into business again and why Consumer Affairs were not monitoring the company more closely given the history of its management team.

I sought a meeting with my constituents with the Minister for Consumer Affairs, but that was not able to be granted. I was advised by his staff that the minister would write to me and provide me with the answers to my questions. I have not as yet received a reply to my questions, but what I can say is that Mrs Leopold believes that, in fact, 41 consumers may be affected by this company. It is currently run by the wife, Helen Richards, and the son and daughter, Darrin Richards and Nicole Ann Cook, but the father, Graham Richards, who has twice been declared bankrupt, is presenting himself as a director of this company.

I am also advised that Brice Metals appeared in court on 2 March seeking payment of \$36 000 from the company. I am advised, too, that the company issued cheques in February and that those cheques bounced. They would obviously have known that at the time those cheques were drawn. I am also advised that the company is asking people who sign a contract to purchase an American Barn for an upfront cash payment, so that their payment is partly made in cash and partly made by cheque. This would suggest to me that the Australian Taxation Office should also be made aware of this company.

Time expired.

WESTERN HOSPITAL

Mr CAICA (Colton): Honourable members would be aware of previous contributions I have made to the house in regard to the Western Hospital, a private hospital in my

electorate. I want to talk about that hospital again today. By way of background for members, the Western Hospital was conceived in 1955 from what was then the Henley and Grange community hospital.

To cut a very long story short, by about 1972 a certain amount of money had been raised by the community—in excess of \$200 000—a donation of land from the Housing Trust, the equivalent of \$50 000 and a significant amount of money had been provided by the state government to build the hospital, which was opened in 1974 by the then governor of South Australia, Sir Mark Oliphant.

The hospital continued to evolve for many years into an outstanding local private hospital, winning numerous awards and servicing the needs of the western districts in an extremely satisfactory fashion. I guess the thing started to go downhill at the time that the board of the Western Hospital decided to join the Adelaide Community Healthcare Alliance (ACHA), and that indeed turned out to be a black day. While joining ACHA was supported by the board of the day, I guess in hindsight they would have liked to establish a clause which said that, should ACHA ever wish to dispose of this very good asset, it would revert to its own board and to the community that built the hospital.

Of course, 20:20 vision is very good in hindsight, but the reality is that the board did not do that. As a result, ACHA—through, I think, a very specious argument—ran a campaign to dispose of that asset. Why did it do this? It did so because it had overcapitalised over a period of time. ACHA had the Ashford Hospital; it got the Western Hospital, the Memorial Hospital, it purchased the Flinders Private Hospital at great cost, and overcapitalised. It ran the argument that the Western Hospital was not being used effectively by the community or by the doctors, and not being used by those people who to any extent made it a viable ongoing concern. So, at the end of the day, ACHA decided to dispose of that asset—an asset that would probably cost \$50 million or thereabouts to replace at today's costs.

Also, attached to the hospital was a very well-run and economically viable nursing home which, in the end, was snapped up by Elderly Care Homes. At the same time they purchased the hospital; so, the hospital, for want of a better term, was disposed of by ACHA and, seemingly dead in the water, it closed. I think that ACHA has a lot to answer for. ACHA today has disposed of its management responsibilities and brought in Healthscope to manage its organisation—something that it has not been able to do in itself.

An opportunity arose for the doctors at Western, in the form of a consortium, to negotiate with Elderly Care Homes to operate the hospital for a limited time as a going concern so that acute health care services could be provided at that hospital, operating under the auspices of the consortium headed up by Dr Richard Noble. Over a period of time, in tandem with that consortium, ECH was going to view how successful it was going to be. I am pleased to report that it has been extremely successful and that, despite the very reasons why ACHA decided to dispose of it, that is, that it was not operating effectively and the people were not using it, the hospital has not turned things around but has shown that what ACHA was promulgating was, in fact, a nonsense. What it was interested in was that it needed to dispose of its assets because it had overcapitalised. It was in financial trouble.

In the western suburbs, we are very happy (and so should be everyone in Adelaide) that Dr Richard Noble and his consortium have a hospital that is now operating very

effectively. I know that negotiations are occurring between Richard Noble and the consortium to look at purchasing that asset and to continue operating it as a going concern. I wish him and his consortium very well in those negotiations and believe that they will be fruitful. Indeed, the people of the western suburbs, whilst it will not technically be their community hospital any more, will have a hospital that will serve their community well, and that is a good thing. I wish them all very well and congratulate them on their work and efforts.

TRAVEL SMART SA

The Hon. D.C. KOTZ (Newland): The federal government, through Australian Greenhouse Office, last year made funds available to the South Australian state government on a dollar for dollar basis to initiate a program under the auspices of the Transport SA portfolio. The City of Tea Tree Gully Council was successful in securing funds for the Travel Smart SA program in 2003. Prior to securing the funds, the council entered into a funding agreement with the Minister for Transport. The funding period for the project was initially one year with the potential to extend it to three years depending on budget and satisfactory progress. Given that the project is focused on behaviour change, a three-year program at least was regarded by both council officers and Transport SA staff as the minimum time required to effect a sustainable and significant change in the City of Tea Tree Gully. However, Transport SA staff recently contacted officers of the council to advise that funds may not be available to continue that program after June 2004.

The City of Tea Tree Gully Council shares a full-time project officer with Campbelltown City Council. The project officer is employed by the City of Tea Tree Gully to implement the program across both communities. Council is committed to this program and supports its core objectives, these being cultural change within council, community involvement and awareness in community uptake of travel behaviour change. Since August 2003, the project officer has been working on initiatives that will reduce greenhouse gas emissions, increase safety, enhance health and well-being and strengthen community relationships. These outcomes are consistent with the state government's draft transport plan, the State of the Environment Report for South Australia 2003, and other strategic initiatives coordinated across several state government portfolios. Consequently, with the funding cut to this program, Travel Smart projects which have been commenced and which are already delivering benefits to the community, will come to an end.

Also, projects such as working with local schools to deliver education programs have been scoped but have yet to commence and, as a result, the community will miss out on such benefits as easing traffic congestion around schools, increasing children's physical activity and helping to develop children's knowledge of road safety. The state government is now poised to expose its apparent concern for the environment as a farce by slashing funding to a program aimed at improving the environment through smarter travel choices. The Travel Smart program is aimed to encourage employees and workplaces across metropolitan Adelaide to make smart travel choices such as car pooling, cycling, walking and catching public transport to work. Now state funding for what was supposed to be a three-year program may not be available past June 2004. This makes absolutely no sense. Why should the Rann government abandon the Travel Smart

pilot program, when the federal Liberal government, through the Australian Greenhouse Office, has committed \$150 000 in dollar for dollar funding over three years? The project is due for completion in 2005 and, given that the Travel Smart program is focused on behavioural change, a three-year program was regarded as a minimum time to effect a sustainable and significant change.

Tea Tree Gully council is one of the councils committed to the program and its core objectives of cultural change, community involvement and awareness, plans and further projects in conjunction with local schools. If government does withdraw these funds, the entire Tea Tree Gully community will miss out on benefits such as easing traffic congestion around schools, increasing children's physical activity and helping to develop children's knowledge of road safety. The Rann government has made, as we all know, much media mileage over its apparent concern for the environment, but any move to discontinue support for such a worthwhile program would expose the government's rhetoric as a total farce. Here we have a government which is quite prepared to throw \$64 million to the gas companies to hide their policy mistakes yet not prepared to support what is a long-term beneficial program with statewide ramifications for health, safety and the environment, and including money provided by Greenhouse Australia for just this purpose.

I am sure that members will understand that, should funding for the local government roll-out of Travel Smart not continue, it is going to place the council in a position where it would need to seriously consider entering into any future funding arrangements with the state government, particularly given the council's recent experience with the withdrawal of funding for the local crime prevention program. As a most valuable project that was recognised by our whole community and supported by huge numbers of volunteers, and in partnership with state government and local government, this government reneged on that three-year partnership. Here, we now see another partnership that is reneged on. This is a government that cannot be trusted. Honesty and accountability? I do not think so.

Time expired.

TANGO NETBALL CLUB

Ms RANKINE (Wright): On Sunday I was delighted to attend the family day organised by the Tango Netball Club. Tango Netball Club has, for a number of years, been located at Wynn Vale where their home courts are located. They have a very long and proud history here in South Australia. I have to say that Tango are even older than me. Their success as a netball club is not as a result of just luck; there has been a lot of hard work put into that club by many people over many years. In particular, I am talking about those volunteer administrators who have kept the club running, the coaching and support staff and, of course, the parents, who put enormous amounts of time and energy into encouraging their young daughters to participate in netball and getting them around from venue to venue. Tango Netball Club last year fielded something like 46 teams in both the state league and the South Australian District Netball Association, which is also located in the heart of Golden Grove. No club would survive, let alone for over 50 years, without not only the enormous support of a whole range of volunteers but also their care and encouragement for young players. When clubs support and encourage their young players, they attract good

players to join their ranks. When they offer strong support, care and encouragement, it makes young ones want to play and continue to play with those teams.

It is really important to encourage success at the highest level, but you never gain that if you are not prepared to put in the hard yards with the junior teams. I was involved in netball myself for a number of years when I was living in Port Pirie; in fact, I was playing twice a week and coaching under-10s. The under-10s took a lot of patience both with the players and sometimes in dealing with the parents. It was a big commitment. The young ones' idea of success was very often different from what ours might be. They all wanted to catch the ball when they were playing netball—all at once; they wanted to show their parents on the sideline that they had the ball, so they often held it for longer than they were allowed to; they all wanted to be goalies and shoot the goal; but, most of all, they wanted approval for their particular efforts when they had finished the game.

The SPEAKER: Order! I invite the members immediately behind the member for Wright to behave in a way that is a little more courteous to her. The member for Wright has the call, without penalty.

Ms RANKINE: I thought we had a successful season if young ones under my control learnt more about the rules, learnt to play as part of a team, enjoyed their involvement and wanted to play again the next year. On the Sunday, Tango paid tribute to some of their outstanding players and recognised some volunteers. Nadia Mapunda is in the state 17 and under team for 2004; she represented the state in the 16 and under state team last year and was also a member of the state Catholic school girls team last year. She has also just completed a scholarship with SASI—2004 Sparrows development team, which competed in the 2003-04 summer competition at ETSA Park. Lauren Tscharke is in the state 19 and under team for 2004 and represented the state in the 16 and under 2001 team, the 17 and under 2002 team, and the 17 and under 2003 team. She was also a member of the SASI Sparrows development team in 2002 and 2003 and was recently given a scholarship to be a member of the South Australian Sports Institute team that is competing in the state league competition for the 2004 season.

Tango also recognised one of the junior umpires, who was awarded as the best new umpire at the South Australian districts netball competition last week. This award was given to Thalia Eckert, and two of the primary players were awarded umpires awards for their particular grades for votes collected during the season. They were Nicole Bruce-Gordon, who received the primary one award, and Steffi King, who received the primary three award. They are primary players aged nine to 11 years. These are wonderful examples of young people committing to volunteering.

Time expired.

PRIVILEGES COMMITTEE

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

That the time for bringing up the report of the committee be extended to Monday 3 May.

Motion carried.

SCHOOLS, PARAFIELD GARDENS HIGH

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

Leave granted.

The Hon. J.D. LOMAX-SMITH: In response to a question from the member for Bragg in question time today, I gave a commitment to come back and provide an answer to a question relating to Parafield Gardens High School. The information I now bring back is that the previous Principal of Parafield Gardens, Ms Wendy Teasdale-Smith, completed her appointment at the school at the end of 2003. She won a position at another high school through a merit selection process and was notified of her success at the end of 2003. She had been Principal of Parafield Gardens High School since 24 July 2000. The chief executive has provided an oral commitment to the chairperson of the Parafield Gardens High School governing council to advertise the principal vacancy at the school in term three, 2004, to be filled through a merit selection process with the new appointment to begin at the commencement of the 2005 school year.

Ms Chapman interjecting:

The Hon. J.D. LOMAX-SMITH: It is to be advertised, this year.

STATUTES AMENDMENT (COURTS) BILL

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

A quorum having been formed:

In committee.

(Continued from 25 March. Page 1697.)

Clause 7 passed.

New clause 7A.

Mr HANNA: I move:

Page 6, after line 34—Insert new clause:

7A—Amendment of section 7—Jurisdiction

Section 7(4)(a)—delete 'twice a Division 1 fine' and insert '\$2 000 000'.

I thank the Attorney for his cooperation in allowing this matter to be raised in the context of this proposed legislation. My amendment addresses the jurisdiction of the Environment, Resources and Development Court. A problem has been the subject of comment by the court in relation to its jurisdiction. We need to bear in mind that there are offences under the legislation that carry penalties of \$2 million for corporations and \$500 000 for individuals in relation to pollution. The court's current jurisdiction to impose financial penalties, however, is \$120 000.

I understand what the Attorney said in response to my second reading contribution about the court being on a par with the Magistrates Court. However, there are serious offences that come before the Environment, Resources and Development Court, as indicated by the nature of the offences described in the relevant legislation—that is, the Environment Protection Act. The problem came to my attention because of remarks made by Her Honour Judge Trenorden in *Cirelli v Southcorp Wines*, a judgment delivered on 18 December 2000.

The background is that prosecutors have a discretion about where they bring the proceedings but, in my submission, the logical place to bring proceedings for pollution offences is the

Environment, Resources and Development Court. If it is a serious matter, I see no reason why the judges of that court could not impose serious penalties, and I think that that capacity to issue penalties ought to be up to \$2 million. In the Southcorp case, Judge Trenorden stated:

I will deal with each count separately but, before I do, there are some matters in relation to the powers of this Court upon which I must express comment. The Environment, Resources and Development Court has a limited criminal jurisdiction. Its jurisdiction is conferred, *inter alia*, by the Environment Protection Act 1993. Under the Environment, Resources and Development Court Act 1993, the Court must deal with a charge of an offence in accordance with the procedure for a summary offence set out in the Summary Procedures Act 1921, even though the offence is a minor indictable offence: Section 7(3). In addition, when proceedings for an indictable offence are brought in this Court, any fine imposed may not exceed twice a Division 1 fine (currently \$60 000), nor might a sentence of imprisonment be imposed that exceeds two years: Section 7(4).

This limitation, at first blush, would appear to be consistent with the limitation also imposed upon a court of summary jurisdiction, where it is empowered to deal with a charge of an indictable offence. The Criminal Law Sentencing Act 1988, by Section 19(3), imposes specific limitations upon the sentencing powers of the Magistrates Court, which is the principal court of summary jurisdiction in this State. Whether the offence charged is a summary offence or a minor indictable offence, the Magistrates Court does not have the power to impose a sentence of imprisonment exceeding two years or a fine that exceeds \$150 000: Criminal Law (Sentencing) Act. Where the Magistrates Court is of the opinion that a sentence should be imposed that exceeds those limits, it may remand the defendant to appear for sentence before the District Court: Section 19(5), Criminal Law (Sentencing) Act.

Upon my reading of the relevant legislation, this Court, even though in its criminal jurisdiction it might comprise a Judge holding commissions in both the Environment, Resources and Development Court and the District Court, has more limited powers than the Magistrates Court, in relation to penalties. It may impose a fine not exceeding \$120 000, while the Magistrates Court may impose a fine not exceeding \$150 000. This Court, unlike the Magistrates Court, may not remand a defendant to appear for sentence before the District Court where it forms the opinion that in the particular case a sentence exceeding the limits prescribed by Section 7(4) of the Environment, Resources and Development Court Act should be imposed. What is the effect of this apparent anomaly? In *Higgins v Fricker* (1992) 63 A Crim R 473, the Court of Criminal Appeal had to consider the effect of the limitation in Section 19(3) of the Criminal Law (Sentencing) Act upon the determination by the Magistrates Court of the penalty for an offence, the maximum penalty for which was five years imprisonment. The Court concluded, at page 479: "... If a learned special magistrate, when sentencing for this offence and after considering all relevant matters, decides that the appropriate sentence should be more than he is empowered to impose, namely two years, he must remand the offender to appear for sentence before a District Court which may then impose the correct sentence. If a learned special magistrate decides that the correct sentence is two years or less, then he may proceed to sentence. The limitation on the sentence which may be imposed by a magistrate does not create the maximum penalty for the offence. The maximum remains at five years."

It would appear that this Court, which does not have the same option open to it as the Magistrates Court, must treat the limit of twice the Division 1 fine (currently amounting to \$120 000) as the maximum fine that may be imposed for any offence, notwithstanding that the offence under the relevant Act might carry a maximum penalty of \$1 000 000, or as in this case, \$250 000.

I now offer some comment on Judge Trenorden's remarks. Essentially, the problem is that we have judges in the Environment, Resources and Development Court who hold commissions in the District Court as well. They are entrusted by the parliament with the power and the wisdom to impose serious penalties, should they be sitting in the District Court. When they are sitting in the ERD Court, however, they have less power than a magistrate. Not only do they have lower monetary limits available to them with which to punish defendants, but they do not have even the option of saying

that this matter now appears to be so serious that it should be dealt with in the District Court, where those limitations do not apply. A magistrate can do that—a magistrate has to do that.

If the offence is considered sufficiently serious, the magistrate must remand the defendant to appear in the District Court for sentencing—for appropriate sentencing and for stronger sentencing. This government, if it rejects this amendment, is accepting that we should limit punishment for environmental offenders. For those who commit serious pollution offences, the government is saying that we should be soft on those defendants. Of course, if the government says that it is up to the prosecutor to take the case to the District Court rather than to the specialist court that knows and appreciates the factors concerning environmental pollution and the nature of such offending, my answer is this: there are many cases where you will not know the full extent of the offending until you take the matter to trial. So, the prosecutor is limited by whatever witness statements are available, but often not with the cooperation of the offender, and on that basis it is not unreasonable to expect a prosecuting authority to take a matter of an environmental offence to the ERD Court—the specialist court specifically set up to deal with such offences.

Yet if a trial then commences before a judge—a person who holds a commission in the District Court and who is sitting in the ERD Court—and the facts come out that the offending is extremely serious, you have then gone through the trial, found that offender guilty and you are ready to sentence for a serious pollution offence. I am not talking about litter on the streets: I am talking perhaps about thousands of gallons of oil poured into a watercourse, or some highly toxic material left in a residentially zoned area. At that point, the judge is constrained in sentencing. So, here is a government that proclaims itself to be tough on law and order and all for longer sentences (as if that is the answer to the crime problem) and putting people in gaol for longer, yet in relation to environmental offences it is soft. It wants to limit the powers of the ERD Court judges to impose sufficient penalties to put a sting into the punishment attributed to environmental offenders. It is a terrible contradiction. It highlights hypocrisy if the government does not give this amendment serious consideration and supports it. I put it to the committee as a matter of giving the ERD Court appropriate powers for the matters that come before it to be able to punish offenders appropriately for those offences.

The Hon. M.J. ATKINSON: The government opposes the amendment. At present, the ERD Court is limited in terms of the monetary penalty it may impose for environmental offences to a maximum fine of twice a division one fine, or \$120 000. It is true that there are offences over which the court has jurisdiction which carry a maximum penalty of more than \$120 000. Although the member for Mitchell presents this as illogical, I can assure members that there are good reasons why the court's criminal jurisdiction is limited in this way.

Australian environmental protection laws are largely civil and regulatory. The main penalties and sanctions faced by environmental offenders are civil ones. That is why most environmental offences are summary offences and the most serious ones minor indictable. In its criminal jurisdiction, the ERD Court is, and is intended to be, the equivalent of the Magistrates' Court.

I think the member for Mitchell has made some good points about inconsistencies between the ERD Court (where

the two judges have District Court commissions) and a lower court, the Magistrates' Court. The member for Mitchell has pointed out that the Magistrates' Court has higher limits in some matters, and I think that is something I would like to iron out. I undertake to have that looked into in my normal reasonable way. The ERD Court tries and sentences very few defendants a year compared to the Magistrates' or District Courts; and for a limited range of summary and minor indictable offences the ERD Court is not experienced in criminal trial procedures or in applying the evidentiary rules of criminal trials.

Mr Hanna: They are District Court judges.

The Hon. M.J. ATKINSON: The member for Mitchell interjects that they are District Court judges. That is true, but they are in a specialist jurisdiction, and it is most rare for them to be outside the Environment, Resources and Development Court jurisdiction.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: The member for Heysen is obviously upset and in a vindictive mood today. Let us hope she brightens up as the debate proceeds. Something has been getting the member for Heysen's goat, and I suspect it is my quoting her on radio accurately.

Mrs Redmond: I thank the Attorney for quoting me on radio.

The Hon. M.J. ATKINSON: The member for Heysen says she thanks me for quoting her, and I will go on quoting her while she is quotable.

The CHAIRMAN: Order! Members will be getting up the chair's goat in a minute. The Attorney will come back to the substance.

The Hon. M.J. ATKINSON: I think even the member for Mitchell would concede that the Environment, Resources and Development Court judges have no experience of or expertise in conducting trials by jury. That court has no experience of conducting criminal preliminary hearings. It is not accustomed to applying sentencing principles to a wide range of different fact situations and offences. The judges of the ERD Court are appointed on the strength of their knowledge and experience of civil environmental law necessary for the court's primary function of enforcing a civil system of environmental protection and management. My first judicial appointment was of Susanne Cole to the Environment, Resources and Development Court, and I chose her on the basis of her strength in civil law.

The Hon. M.J. Wright: A very good choice, too.

The Hon. M.J. ATKINSON: I am glad that the members for Heysen, Playford and Lee are all endorsing that choice. Although classified as minor indictable, the more serious environmental offences carry monetary penalties that are much larger than usual for this classification. For example, the maximum penalty for the most serious environmental offence is \$2 million for a body corporate and \$500 000 for a natural person.

For these offences, if the prosecuting authority thinks the offence merits a penalty that will be above the ERD Court's jurisdictional limit, it can prosecute the case in the District Court. The District Court has no limit on the monetary penalty it can impose. Of course, what distinguishes environmental offences from other criminal offences is that a conviction triggers civil orders, having a far greater financial impact on the offender than the criminal fine. But these orders are not made by a court sitting in its criminal jurisdiction: they are made by the ERD Court in its civil jurisdiction.

In this capacity, the ERD Court can, in addition to any penalty for contravention of the act (and I enumerate the things it can do), first, order the offender to make good any resulting environmental damage and to take specific action to prevent or mitigate further environmental harm. Secondly, it can order the person to carry out a specified project for the restoration or enhancement of the environment in a public place, or for the public benefit. Thirdly, it can order the person to take specified action to publicise the contravention and its environmental and other consequences, and any other orders made against the person.

Fourthly, it can order the person to pay to any public authority costs and expenses it has incurred in taking action to prevent or mitigate the environmental harm or to make good any resulting environmental damage. Finally, it can order the person to pay compensation to any person who suffered injury, loss or damage to property as a result of the contravention or incurred costs and expenses in taking action to prevent or mitigate the injury, loss or damage.

In addition to any penalty for an offence against the act, the court can order the offender to pay to the EPA (that is, the Environment Protection Authority) an amount that the court estimates to be the amount of economic benefit acquired by or accruing to the offender as a result of the commission of the offence. The EPA then pays the money into the environment protection fund.

On the surface, the member for Mitchell's amendment appears simple enough. However, as members can see, the implications of his amendment are substantial. Increasing the court's jurisdiction to \$2 million will put the court which tries all offences before it summarily on a level different from any other summary court here or elsewhere in Australia. It will place defendants tried in the court in a different position from other criminal defendants, in that they face penalties that ordinarily would give rise to a right to trial by jury in a court which routinely tries criminal cases and which is experienced in applying the rules of evidence and criminal procedure after the charges have been tested in a preliminary hearing.

No such protections will apply to defendants charged with more serious offences and brought to trial in the ERD Court, as the member for Mitchell proposes. The member for Mitchell's amendment addresses none of these problems; in fact, it creates them. Although the government does not rule out increasing the court's criminal jurisdiction, it will not support amendments to the act that do so unless the implications of such a jurisdictional change are dealt with. For this reason, the amendment is opposed.

Ms CHAPMAN: I thank the member for Mitchell for moving this amendment because it is important that we identify what is at issue. It is important to recognise the concerns raised by the honourable member when there has been a blatant breach of an environmental provision such as in the case of *Circelli v Southcorp Wines Pty Ltd*. He highlights the concerns raised by Justice Trenorden in her judgment about how—and I will paraphrase her position—impotent she is to deal justly and fairly with a case, which, on anyone's assessment, would have to be considered to be a gross breach and which ordinarily might have attracted a much more severe penalty.

As highlighted by the Attorney, however, the error rests where this case was prosecuted and, as a result, Her Honour was restricted in her capacity to impose a penalty which truly reflected the degree of seriousness of the offence in this case. It is a monumental step to then say that a way to remedy this is to simply up the jurisdiction of the ERD Court to overcome

this. The Attorney has quite properly pointed out that the specialist court, in the sense of its charter and jurisdiction, namely, the District Court and/or the Supreme Court, is indeed the appropriate venue and is available—and, in fact, was available in the case against Southcorp Wines Pty Ltd.

It is also important to appreciate the charter of the Environment Resources and Development Court and the important work it carries out. Over the last year, we have been engaging in debate when amending legislation in a number of jurisdictions where the Environment, Resources and Development Court has responsibility, and we have probably significantly increased it as a result. Whether it be native vegetation legislation or regional management, these are all areas which confirm and largely extend the areas of responsibility of the Environment, Resources and Development Court.

When one looks at areas of principal legislation vested with the responsibility to 'provide for, protect and promote,' the Environment Protection Act 1993 is probably the most significant. I think it is important to refresh the committee's memory as to what the objects of that are. It is not to prosecute and pursue: it is to promote the principles of ecologically sustainable development and to ensure that all reasonable and practical measures are undertaken to protect, restore, enhance, etc. That is its principal purpose. It is not there to impose fines or attempt to imprison, or to use the arm of criminal law to demand, insist or impose upon citizens to effect that. It has a very specific charter to have programs and to work on the basis of assisting and supporting South Australians—significantly landholders or occupiers—to ensure that they have respect for the principles of ecologically sustainable development. In that sense, it has quite a different charter. Of course, for the purposes of dealing in a summary way at a lower level (what we call the civil penalty level, not fines) and, in particular, looking at restoration and reparation where damage has been inflicted, that is really an additional addendum to its principle area of responsibility.

Whilst I appreciate that the member for Mitchell is seeking to vastly extend the jurisdiction of the ERD Court, because, as he rightly suggests, District Court judges certainly have the power to do this, they have an inordinately large amount of other work which has priority, which has a different focus, which we have added to in the short time I have been in this place and which ought to be the court's principal area of work. It is for those reasons that, on balance, having carefully listened to the presentations and submissions by the member for Mitchell and the Attorney-General, the opposition will not be supporting this amendment.

The Hon. R.B. SUCH: I will use this opportunity to make a couple of remarks about the Environment, Resources and Development Court. I heard the Attorney commenting that the appointment of a judge took into account their knowledge of civil law, and that is obviously a desirable attribute. I do not want to be seen to be attacking or being critical of any judge, because I am certainly not doing that. However, one of the key elements in the court's very title is 'environment', and I think it is incumbent that, in future, when consideration is given to appointing judges, one factor that needs to be taken account, obviously as well as their competence in regard to civil law, is their understanding and appreciation of elements that come within the understanding of the environment. I do not know how you can have people making judgments about environment, resources and development if there is no requirement or consideration for their knowledge

or understanding of environmental and ecological principles, and so on.

As I have said, I do not want to be seen as reflecting on any particular judge, because I am not. However, I have been concerned about some of the decisions that have been made. For example, in one case relating to an endangered species, people bought a property knowing that a particular tree was adjacent to that property. The local council, which is not noted for being environmentally zealous in any way but which tries to do its best, upheld the prohibition of the removal of a significant tree, after inspecting it. The people bought the property knowing that it had this increasingly rare and magnificent specimen of a native tree on the property or adjacent to it. The ERD Court made a determination that the tree should come out. I think there are a whole lot of elements there that give rise for concern, the first being that the people bought the property knowing that the tree was a significant tree and that the council had rejected and would reject any application to remove it.

I just raise this general point: if you are going to have an ERD Court, which is a good thing, it is incumbent upon the appointment process to take into account an awareness and knowledge of ecological principles and aspects which are fundamental to an understanding of the environment, resources and development. We obviously do not expect any judge to have all those attributes, but one would have thought that, if you were in a specialist court, whether it be a family court or environment court, you would not only be a practitioner in a technical sense in regard to the law but you would also have some other attributes in relation to understanding and demonstrated expertise in that field. I would be interested if the Attorney wishes to respond. As I have said, I do not want to be seen as having a cheap shot at any particular judge, because I am not. I am concerned that the court functions as an environment, resources and development court and that that awareness, knowledge and understanding is taken into account when someone is appointed to that court.

The Hon. M.J. ATKINSON: I can assure the member for Fisher that those considerations are taken into account and that people are appointed for their environmental credentials.

Mr HANNA: I do not mind the Attorney reading from a prepared speech in relation to an amendment like this, but I was disappointed that he did not listen to my contribution earlier. I pose the question: why do we have environmental offences over and above the civil action that aggrieved neighbours, etc., can take in relation to someone who pollutes? It is because our community condemns as reprehensible that sort of irresponsible action. It is not just an offence against those who have the pollutants coming on to their land or into their watercourse. It is a crime because the behaviour is so bad that it offends against community principles.

Being a crime, it has to be tried in a court, but there is a special quality to this type of offending, and that is why we have a specialist court. It deals with civil matters, certainly. It deals with orders for removing things, stopping things and making things happen. It also has that criminal jurisdiction, and it should be adequately equipped to exercise it. If the problem with the amendment is that it does not go far enough in equipping the ERD Court to exercise its criminal jurisdiction, I would expect the Attorney to make further amendments to enable it to do so. If not on this occasion, I would hope that the Attorney would give serious consideration to giving the ERD Court a proper criminal jurisdiction to deal

with offences that are peculiarly environmental in nature. They are there in the Environment Protection Act; the ERD Court is set up to deal with them; let it have the powers to do so. If it does not, as I said, the government is being soft on crime, soft on environmental crime.

The Hon. M.J. ATKINSON: The vindictiveness of the member for Mitchell is irritating, as always. The debate was adjourned last week as a courtesy to the member for Mitchell. We could have gone ahead but it was adjourned in deference to him so that he could canvass this amendment. In the intervening week, I took the normal precaution of getting advice on his amendment; that is, I deliberated carefully on his amendment, considered its merits and then responded at length to the committee. For that he condemns me because I read from a prepared statement. Of course I do, because I have taken his amendment seriously. I did listen carefully to what he had to say because, on the matter of the greater ceilings for the Magistrates Court when compared to the Environment, Resources and Development Court, I think he has a point and I responded off the cuff to that. But, if the member for Mitchell can put the boot in, he always does, even though there are perhaps no grounds for it. The member for Mitchell tries to argue to the committee—

Mr Hanna: You've got the numbers, Mr Attorney. You enjoy them.

The Hon. M.J. ATKINSON: As I do in the Australian Labor Party. The member for Mitchell argues before the committee that offenders will get off because we have this arrangement whereby there are limits on the fines and penalties that the Environment, Resources and Development Court can impose. That is not true. If the offending is of a grave nature that deserves a penalty above the Environment, Resources and Development Court limit, then the matter is sent off to the District Court for a criminal trial in the normal way. No-one is getting off scot-free.

The CHAIRMAN: I encourage the committee to avoid using tactics or techniques that do not help the process of the parliament. Last night was a good example of how a committee, for I do not know how many hours, was able to work without acrimony and came up with a result that was a reflection of that.

New clause negatived.

Clauses 8 to 25 passed.

New clause 25A.

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

Page 10, after line 19—Insert:

Part 8A—Amendment of Young Offenders Act 1993

25A—Repeal of Part 7

Part 7—delete the Part

The short story is that the Juvenile Justice Advisory Committee is one of the few committees in government which, in my time as a minister, has come to me and asked to be wound up. This amendment gives statutory effect to that. There is a long version but I am sure the committee would rather not hear it.

New clause inserted.

New clause 25B.

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

Part 8B—Amendment of Youth Court Act 1993

25B—Amendment of section 24—Persons who may be present in Court

Section 24(1)(g)—delete paragraph (g)

New clause inserted.

Clause 26 and schedule passed.

Title.

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

Title, page 1—

Delete 'and the Supreme Court Act 1935' and substitute: , the Supreme Court Act 1935, the Young Offenders Act 1993 and the Youth Court Act 1993

This amendment to the long title is necessitated by the passage of my amendments.

Amendment carried; title as amended passed.

Bill reported with amendments.

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

That this bill be now read a third time.

I thank the member for Bragg for her close analysis of the bill and for her support, and I also thank the member for Mitchell for his feisty amendment.

Read a third time and passed.

PROBLEM GAMBLING FAMILY PROTECTION ORDERS BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 23 March. Page 1573.)

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

That the Legislative Council's amendments be agreed to.

These amendments made in the Legislative Council maintain the basic three month bench mark for issuing a problem gambling family protection order but add the discretion for the authority to issue an order if the respondent has caused financial harm by engaging in gambling activities in a particularly irresponsible manner over a lesser period. They also remove the need to demonstrate a pattern of behaviour which might be interpreted narrowly. In considering applications before it the authority would naturally provide all available assistance to the parties in these circumstances. The amendments could assist in cases where individuals are causing serious financial harm to their families but have not yet reached the three month requirement for an order to be issued. It would clearly be undesirable for persons not to be able to get an order in extreme circumstances simply because the behaviour had not occurred for a three month period or because somehow it was argued that the behaviour had not occurred as a pattern.

It will remain necessary for the authority to have proven harm on the family and for there to be a likelihood of the behaviour continuing or recurring. This act provides an important new measure for families to assist to reduce the harm of problem gambling. The operation of this act will clearly need to be subject to ongoing review to provide feedback to the government and parliament. The government supports the amendment to explicitly provide for that review process and reporting to the parliament.

Mr BROKENSHIRE: I will be very brief, but the fact is that my very capable colleague the Hon. Rob Lucas handled this bill for the opposition in another place. In his normal intelligent fashion he has made comments to the scheduled amendments that we now have. I personally have some concern regarding the wording of these amendments—I think that this complicates things a little more than the original clauses—but, given that the government is prepared to accept them that way, then it is for the government to

manage their interpretation and general management. I will leave that at that, but I would like to say that I certainly agree with amendment No. 3, which provides that the minister must at least annually cause a report to be laid before each house of parliament on the operation and effectiveness of this act and that the secretary must assist the minister in the preparation of each report. The minister of the day has to put in a report on matters such as the Emergency Services Funding Act. I think it is good business and good practice for the government of the day through its minister to report annually to the parliament on these sorts of important matters so that the parliament is well aware of whether these pieces of legislation are working or whether they need refinement. I therefore support these amendments.

Motion carried.

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

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

Motion carried.

HEAVY VEHICLE INSPECTIONS

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

Leave granted.

The Hon. P.L. WHITE: Yesterday the Minister for Agriculture, Food and Fisheries raised with me a particular difficulty that businesses in the heavy vehicle industry were experiencing in South Australia. Heavy vehicle roadworthiness inspections are currently performed by government-operated inspection facilities located throughout South Australia. Historically, waiting times for inspections have been unsatisfactory, with delays of up to eight weeks. A number of vehicles that pose a low risk to road safety are inspected each year. Of these, some 450 per year are for new trucks and prime movers. New trucks and prime movers, which normally undergo an extensive predelivery inspection, pose a negligible risk with regard to road crashes caused by vehicle faults. New heavy vehicle dealerships currently ensure compliance of new vehicles with ADRs as part of their normal commercial operations. It is my intention to accept from accredited dealerships their certification to government that new vehicles inspected by them conform with Australian design rules. This will discontinue the need for the presentation of those vehicles at a government-operated inspection facility in South Australia.

SELECT COMMITTEE ON THE CEMETERY PROVISIONS OF THE LOCAL GOVERNMENT ACT

Adjourned debate on motion of Hon. R.B. Such:

That the select committee's report be noted.

(Continued from 24 November. Page 852.)

Mr SNELLING (Playford): At the outset I would like to say that the Select Committee on the Cemetery Provisions of the Local Government was one of the best committees I have had the privilege to be a member of. The committee members worked extraordinarily well together and looked at the issue in, I believe, a fair and thorough manner. I will briefly address the recommendations. The primary issue

which the committee was looking at was the question of tenure. I will try to resist rehearsing the arguments that have already been made, but I will quickly address them.

The Local Government Act provides for a 99-year maximum lease on cemeteries that come under the scope of the act. There is no minimum so cemeteries are able to offer a lease for as few years as they want, up to a maximum of 99 years. There is no ability there for cemeteries to offer leases any longer than that. The committee has recommended that the cap be abolished so that if cemeteries and the family of a deceased want to purchase a perpetual lease on a grave site, they should be able to enter into such a contract. There is no obvious reason to us why such a contract should be abolished but what guided the committee was a view that, while for some people non-disturbance of graves is an issue, for many other people (perhaps the majority of people) non-disturbance is not an issue. For those of us who would like to be buried in a metropolitan graveyard at a reasonably affordable price, we should have that option.

The feelings of a minority who want to have a perpetual lease should not prevent the rest of us being able to be buried in a metropolitan cemetery at an affordable price. That was what guided the committee. If, as some people wanted, the committee recommended that all grave sites should have perpetual tenure granted for them retrospectively, the evidence before the committee was that metropolitan cemeteries would fill up within seven years and that the price of a lease or perpetual lease would mean that the average person would just be able to be buried. We went to the Drumminor private cemetery where they are offering a perpetual lease and, from memory, their price for such a lease is \$100 000 or in that vicinity—it may have even been more than that. It would be too much to ask the average family to fork out \$100 000 and one would expect, if the committee went down the path of granting retrospective perpetual tenure to every grave in South Australia, that that would become the new price of being buried, at least in the metropolitan area. I do not see why burial should be restricted to the richest in our community.

I should also point out to the house that over 75 per cent of deceased people in South Australia are cremated, and the committee received evidence that people who were having their ashes interred in cemeteries were cross-subsidising those people who were choosing to be buried. The other recommendation of the committee was obviously to remove the 99-year maximum so that people would be able to, if they wanted a perpetual tenure and were prepared to pay for it, enter into such a contract with the cemetery. We also recommended that there be a minimum, because there is no minimum provided for at the moment. We do not think that it is a good idea for graves to be reused within a few years of someone being buried there; so, we recommended a 25-year minimum. A minimum of 25 years seemed to be a good time in terms of the decomposition of the deceased so that it was possible to reuse the grave but, at the same time balancing against that, the ability of the cemetery to get in touch with the leaseholder to find out whether the leaseholder wanted to extend the lease. The committee received evidence that if you made the minimum for a long period of time—for example, for 50 years—it would be difficult for the cemetery to locate the next of kin because of the passage of time: people moving, dying, and so on. Twenty-five years seemed to be a good time, but as I say, that is merely a minimum.

Another issue considered by the committee was that, at the moment, our legislation dealing with the disposal of human remains is scattered across a number of statutes so to speak.

Mrs Redmond interjecting:

Mr SNELLING: Yes. The pun was unintentional. There are provisions in the Cremation Act, the cemetery provisions of the Local Government Act, and a number of other statutes that all come into play in this area. The committee thought that it would be a good idea to bring all those pieces of legislation under the umbrella of one act, particularly with respect to cemeteries. It seemed an anomaly that cemeteries should come under the Local Government Act. All provisions with regard to the disposal of human remains should come under a single act. We recommended that a statutory authority or something similar be established to oversee the disposal of human remains and to look at the establishment of new cemeteries. We recommended that burials on family properties outside metropolitan council areas—unincorporated areas, I think is the term—be allowed. Again, what was guiding the committee was that, within the limits of good taste and public health, people should be able to be buried however they want. Although it is now becoming increasingly unusual, we could not see any reason to prevent that from happening with the proviso that such a grave be registered on the land title as an encumbrance, so that someone purchasing the property would not have any nasty surprises when they went to plough their land or build a new building.

The final point, (and there are many other recommendations) and one of the most important, was to have a single disposal of human remains permit system with better identification procedures. At the moment, there are fairly strict procedures for cremation regarding identification and issuing a permit before someone is able to be cremated. Those systems are not in place for burials and the committee received convincing evidence that whoever wanted to dispose of a murder victim, the best place to do it would be in a cemetery; so, the committee took that evidence on board and has recommended that there be better identification procedures for burial and a single permit to encompass both burials and cremations. As I said at the outset of my remarks, it was a very interesting committee to be on. I thank the member for Fisher, who was the chairman of the committee, and our research staff—Mr Russell Starr and Anni Foster—who both provided splendid advice to the committee. Mr Starr is a treasure trove of information when it comes to this area. It is a pity that the report of the previous Select Committee into the Disposal of Human Remains was shelved. I hope and trust that that does not happen with regard to this report, as it is a good and fair report and an area that needs reform. I look forward to the government's response and to the introduction of a bill to implement those reforms.

The member for Norwood has also pointed out that I neglected to thank the Secretary of the committee, Mr David Pegram, who did a great job in organising the committee's meetings and getting together a range of members with differing diaries. My thanks go to him as well.

Mrs REDMOND (Heysen): I, too, rise to make a few brief comments on the report of the select committee. It was the first select committee on which I have served since coming into the parliament and its deliberations took almost a year to the day. It quickly became apparent in the course of the committee's meetings and deliberations that the committee work of this parliament probably presents us with the best opportunity to make some real contributions in terms of

coming to some conclusions that might be of use to our communities and the people whom we serve.

The membership of the committee was diverse, and we worked well and cooperatively together. I place on the record at the outset my thanks to David Pegram, the Secretary to the committee; Annie Foster; Soo-Sing Kang, who came on board later in the considerations; and Mr Russell Starr who, as the member for Playford indicated, was a treasure trove of information for us.

We went through an extensive process, which involved not only hearing from witnesses but also visiting a range of cemeteries, both the big well-known ones such as Centennial Park and a private one in the north.

While I was on a brief visit to the parliament of Western Australia, I took the opportunity to go to a place called Pinnaroo, an interesting lawn cemetery where there is a cafe and kangaroos bouncing around the lawns. We looked first-hand at a range of options and also held a couple of public meetings, which were well attended. It was clear right from the beginning that a couple of issues were to be of major contention, namely, the reuse of graves, which was the major one, and war graves. People tend to be very emotional about those things, and justifiably so. I have no problem with people feeling great passion about those two issues. I will comment on these two issues, but will not go into detail as it would be nice to get an early minute tonight. I will not therefore use the whole of the time allotted to me.

The committee had 12 terms of reference, but the issues of the reuse of grave sites and war graves came to the fore as being of most significance in terms of community consideration. There were, however, quite a range of other things, such as having funeral certificates and setting up a new authority to control this (as the member for Playford said, we have a range of bodies and acts that deal with it).

On the issue of the reuse of grave sites, there is a range of options in the community presently, and the conclusion of the committee was that, whilst some people would like it if we were able to give everybody perpetuity, it transpired that that would not be an option. Representatives of cemeteries such as Centennial Park gave evidence that, if we decided to make everything perpetual, its scope to put in new grave sites was so limited that within seven years it would run out of room. In any event, 70 per cent or thereabouts of people in this state choose cremation rather than burial and, of the 30 per cent who choose burial, quite a significant number did not have any problem with the reuse of graves.

More importantly, many had less objection to the idea of having a multiplicity of bodies in the one site if they were members of the same family. A number of places had mausolea. At a private cemetery you could buy a mausoleum for one's family, but it would cost of the order of \$140 000. I know that my kids would rather get the \$140 000 than bother about keeping me anywhere in particular.

A range of views were held, and I came to the committee very much of the view that all grave sites should be in perpetuity. Having come from a state where all grave sites are in perpetuity, my first question was why, if we are in one of the most sparsely populated places on earth, we would reuse graves.

But, having considered the matter at length and having listened to all the evidence, it was clear that a number of people are not worried about the issue and are quite comfortable with the idea of reuse, particularly lift and deep (which is a funny term) and in circumstances where other family

members may be put into the same site. A small percentage of people were adamant that all graves should always be in perpetuity.

The conclusion that the committee came to eventually was that that was fine: that we should ensure that people who want perpetuity can have it. However, it is probably not reasonable in those circumstances to force the entire community to commit to the cost of perpetuity if everybody does not want it, and instead introduce a user pays system. If you want perpetuity, you can certainly have it, and to that end we have recommended the removal of the upper limit of 99 year leases that exists currently under the Local Government, so that people who want perpetuity will certainly be able to have it and there should be no upper limit. Provided they are prepared to pay the costs of maintenance, that will be a perfectly viable alternative.

Realistically, if people these days want perpetuity and do not have vast sums of money, another alternative is available in this state, namely, outside the metropolitan area there is not much pressure on local graveyards, whether they are attached to a particular church or are council operated. In country areas, although technically it is given as a lease in the first instance, in reality they are taking so long to fill up that it is unlikely the cemeteries will ever be completely full; so, if people want perpetuity at a low cost they can go beyond the local metropolitan area.

That gives everybody the option. It gives us some price options and, given that we now have these private cemeteries operating, it seems that we have a fair range of options. I commend the idea of establishing in this state something like Pinnaroo in Western Australia, as it is a rather attractive park-like setting where lawn graves are placed in certain areas. There are also water features, and people can have the ashes of their loved one interred in a feature wall or part of a pathway: all in all it is a very attractive setting for people to visit.

As the member for Playford said, our aim was to keep it so that the maximum options were available within the idea that you had to have certain standards of human decency and health. Provided that they were met, we saw as essential being able to provide people with the maximum number of options. To that extent, there need to be changes in the legislation because at the moment, even if people took out a lease for a long time, the cemetery authorities generally (which I will not name) have no system in place whereby they do an actuarial assessment as to how much of the money is originally needed for the interment and how much would be needed for the ongoing maintenance of a site.

Our suggestion is that a separate authority be set up and that moneys be placed in trust, whether with that authority or under the supervision of that authority, so that there will be adequate funds, if they have been paid to the Cemeteries Authority, to pay for the maintenance into the future. At the moment, money that is paid to the Cemeteries Authority simply is put into its general revenue and used to build new chapels, pathways, or whatever is needed at the time, but with no regard to what will be required down the track. I think that that issue was adequately covered.

Another minor suggestion was that it would be appropriate to introduce funeral certificates, just as we have birth, death and marriage certificates. It seemed to the committee that there was no great drama about the Office of Births, Deaths and Marriages providing another certificate, which would be useful for people who were trying to trace family, relating to the site and the nature of the burial, etc., when the funeral

arrangements are made. It was clear from the evidence before us that, although a number of people wanted perpetuity, they had entered into contracts which were clearly for a limited tenure. The difficulty is that, when funeral arrangements are being made, most people are so distressed that they do not think about the documents they sign, as they go through the whole process almost in a daze. We have made some suggestions about how those issues might be handled better, so that after the funeral people are aware of the nature of the arrangement into which they have entered and so that they know from the outset that it is a lease arrangement rather than a perpetual one.

One of the other misconceptions in the community was in relation to Aboriginal graves. At public meetings, a number of people asserted that we poor white people are treated in a somewhat inferior manner to Aborigines in the community, because their graves are sacred sites. I want to put on the record, as the report does, that that is not the case. No Aborigine per se, simply by virtue of his or her Aboriginality, is entitled to any different treatment from any other person in the community. Under the Aboriginal Heritage Act, if an Aboriginal grave warrants treatment as a heritage grave, it can go through the processes provided by the act and, if assessed to be appropriate, it will gain status as a heritage site and, by virtue of that, protection under the act. Equally, the same process applies to all graves under our own heritage legislation. We need to get the message out into the community that people are treated equally. More work needs to be done, whether by local historical groups or others, to make it clear that we need to identify heritage grave sites and to take steps to ensure that, if they are deserving of protection, they are protected.

I want to touch briefly on the issue of war graves which, as I said, was a topic of most comment. Of course, it is quite a complex issue, and even now I need to refer to the report to get it quite clear. When people refer to war graves, they tend to think that anybody who was in the services is entitled to a war grave. However, you are classified as war dead only if you die on active service. If you fell down drunk in a pub in Cairo and hit your head during the war, you would still be classified as war dead. However, if you die after a certain amount of time after coming home, you are not classified as war dead.

Of course, many thousands of people survived the war and lived until a ripe old age but, nevertheless, gave many years of their life in the service of this country. It seems a little unfair to most people that, if you die during the war on active service, you are categorised as entitled to a war grave and treated to certain benefits from the commonwealth government from the Commonwealth War Graves Commission ('commonwealth' in the sense of the commonwealth of nations, not the federal parliament). However, the graves come under that umbrella by the Office of Australian War Graves. In addition, we have post war commemorations, that is, those who died after the war from a war related service, or who were in receipt of a TPI pension. In addition, there are people, such as my own father, who served for six years during World War II, who are entitled to neither of those but to only a war service badge to indicate their service to the country. I will quote briefly from the committee's report:

The Committee recognises that War veteran's graves are accorded a particular respect by the community as is evident from the many submissions received. Almost all submissions requested

that veteran's graves be maintained in perpetuity as a mark of respect for their contributions in times of war.

Of course, the same problems about tenure apply to those war graves, but our suggestion is that we are a separate case in this state. As I said, places such as Sydney and Melbourne do not have our problem of limited tenure. In fact, we are the only state where the reuse of war graves has become an issue. Because of that, and because our numbers are relatively small, it seems to the committee that it might be appropriate to approach the commonwealth government to come to a resolution about these matters so that we get perpetuity for those who in other states would have it automatically, simply by virtue of the fact that they had perpetuity for all their tenures. I think that those were the two main issues comprehended by the report.

The members of the committee worked quite hard to ensure that we issued a report that was not only comprehensive in dealing with the whole range of issues that we were asked to address but also came to some sensible conclusions that we hope will be acceptable to the vast majority of people. One or two people are still on the airwaves—and I hear the member for Playford on the airwaves responding to them fairly regularly—

The Hon. M.J. Atkinson: And doing a fine job.

Mrs REDMOND:—and doing a fine job, as the Attorney said—because they have such a passion that no graves should ever be disturbed. However, that is their view, but it is not shared by quite a large number of people.

I am pleased that I was able to participate in this select committee. It was the first select committee that I have served on in this parliament, and it taught me a lot about the real work of the parliament. I am proud to say that we came to some pretty reasonable conclusions, and I look forward to the government's response.

Ms CICCARELLO (Norwood): Given the contribution from the member for Heysen, I will be extremely brief in my comments. However, I would like to put on the record that this was certainly a very enjoyable and satisfying committee on which to serve. I acknowledge the contribution of David Pegram as the secretary, and also Russell Starr and Annie Foster, who assisted with the deliberations and the report. We visited several cemeteries around the metropolitan area, and I also visited Western Australia. I happened to be in Sydney, and I visited Waverley Cemetery, which is certainly in a very wonderful position. As the member for Heysen said, interstate people also think that they have perpetuity, but the situation is currently being assessed, because space in Sydney is also at a premium. People in that area were very upset about the idea that a crematorium was to be built near the cemetery.

In retrospect, it is amusing, but I almost became a candidate for a cemetery whilst serving on the committee. On one of the final days of our deliberations, I was run over on the way to the select committee. Fortunately, I am still standing and live to tell the tale. As has been pointed out by the committee members, the principal areas of contention were the issue of the reuse of graves and also the war service graves. The committee certainly received an enormous number of submissions from the public—both from individuals and from cemeteries. What came through was the issue of the reuse of graves and that most people were under the misapprehension that grave sites had always been granted in perpetuity.

We need to recognise that, when people are signing these documents during the funeral process, they do not necessarily look at the fine print. There is certainly never any indication that people had graves in perpetuity. The committee's recommendation was that a minimum period of 25 years be put in place but also with flexibility of payments and other opportunities so that people, if they were willing to pay, could virtually be guaranteed perpetuity. This really only applied to the metropolitan area because, in the country, space is certainly not an issue.

Another contentious issue was the maintenance and commemoration of war graves. Currently they are looked after by the Office of Australian War Graves. It does appear unfair that not everyone who serves in a war is entitled to be buried in a war grave. The committee has made a recommendation that these categories need to be looked at so that people who served in wars but who did not necessarily die during those periods would also be entitled to be buried in a war grave. We did recommend that a new act be put in place. We also recommended the establishment of a central register for interment so that people could find out information about where people were buried. Many of us have had an experience of where one member of the family might be responsible for all the documentation and, when the issue of reuse arises, other members of the family might not necessarily have access to that information. Therefore it was considered appropriate that all members of the family be given copies of the burial documentation so that they would all have access to that information.

Cultural issues also arose. We received correspondence particularly from the Jewish community, which had particular issues about graves not being disturbed. We considered the issue of Aboriginal burials, and again there was a misconception in the community in that people thought that the Aboriginal community had always had access to grave sites in perpetuity. As I indicated earlier, it was a very good committee. I think the recommendations were eminently sensible and I recommend the report to the house. I certainly hope that parliament considers the report very quickly so that we can ensure that the community's concerns have been allayed.

The Hon. M.J. ATKINSON (Attorney-General): The government thanks all members of the select committee and the committee's support staff for their work in preparing this important report. I understand that the committee received 186 written submissions from individuals and organisations, and that more than 60 people gave evidence to the committee. On behalf of the government, I would like to place on record its appreciation for the time and effort taken by all those who contributed to the select committee's deliberations. The government understands the seriousness and sensitivity of the issues raised by the select committee report and therefore recognises the need to give the report's recommendations careful and considered thought. The government is not in a position to respond to any of the recommendations yet, but I will be the minister responsible for carrying them out, if that is what the government does. An interdepartmental working group comprising officers from the Office of Local Government, the Attorney-General's Department, the Office of Consumer and Business Affairs, the State Coroner's Office and the Registrar of Births, Deaths and Marriages has been established to review the recommendations and advise the government on their implementation.

Speaking as the member for Croydon and as a Christian, I think one's Christian attitude to burial and the nature of the next life is contained in chapter 37 of Ezekiel, a book of the Old Testament, and I will refer to some verses. Chapter 37 states:

The hand of the Lord was upon me, and carried me out in the spirit of the Lord, and set me down in the midst of the valley which was full of bones,

And caused me to pass by them round about; and, behold, there were very many in the open valley; and, lo, they were very dry.

And he said unto me, Son of man, can these bones live? And I answered, O Lord God, thou knowest.

Again he said unto me, Prophesy upon these bones, and say unto them, O ye dry bones, hear the word of the Lord.

Thus saith the Lord God unto these bones; Behold, I will cause breath to enter into you, and ye shall live;

And I will lay sinews upon you, and will bring up flesh upon you, and cover you with skin, and put breath in you, and ye shall live; and ye shall know that I am the Lord.

So I prophesied as I was commanded; and as I prophesied, there was a noise, and behold a shaking, and the bones came together, bone to his bone.

And when I beheld, lo, the sinews and the flesh came up upon them, and the skin covered them above; but there was no breath in them.

Ms Bedford interjecting:

The ACTING SPEAKER (Mr Koutsantonis): Order! The member for Florey will listen in silence.

The Hon. M.J. ATKINSON: The ribald commentary of the members for Florey and Enfield is unhelpful, but the point I am making is that it does not really matter how one's remains are disposed, whether one is atomised, liquidated or scattered about the place: on the final day one will be brought together in one's flesh, as St Paul says in his Epistles. It seems to me those who made representations to the committee in favour of perpetual possession of a plot were misconceived if they thought that was essential to their salvation as Christians, because the objection is not a Christian one: it will stand or fall on its own merits.

I compliment some of the members of the committee on their fine contribution during the debate. In particular, I thought the member for Unley was outstanding. The member for Unley told the house:

The reality facing the committee is that this [bones being undisturbed forever] comes at a cost. . . someone must maintain that grave site, and anyone doing labour will be worthy of their hire. So that if, in 500 years, someone is maintaining a grave at Centennial Park someone living will have to pay the bill. . . if one goes to Sydney one will see that some of 'in perpetuity' grave sites are a parlous reflection on our respect for the dead.

I have been to the main cemetery in Sydney, Rookwood (near the Lidcombe Railway Station). Our former Labor Prime Minister, Ben Chifley, used to say, 'Rookwood is full of indispensables.'

Dr McFetridge interjecting:

The Hon. M.J. ATKINSON: Thank you, member for Morphett; I am sure you are right. There are perpetual leases on graves at Rookwood but, now that the payments that maintained them have run out, they are left in a terrible state. They are not tended, nor will they be in the future. And so, if you want to see the outcome of perpetual leases with inadequate money set aside for maintenance, go and have a look at the older section of Rookwood at Lidcombe in Sydney. The member for Unley quite rightly said:

However, if they wish a lease to be in perpetuity, some actuarial work must be done to ascertain the cost of perpetuity.

It is amazing then the divergence that emerged. Everyone wants perpetuity but no-one wants to pay for it.

The member for Unley is exactly right.

The members of the committee are also right when they say that, if you want your bones to rest in perpetuity, choose yourself a grave site well outside the metropolitan area and you will lie undisturbed, provided one is not faced with urban encroachment, as happens all the time in the United Kingdom in Greater London. So, for myself, I am looking very fondly at Sevenhill Cemetery!

Dr McFetridge interjecting:

The Hon. M.J. ATKINSON: Thank you, member for Morphett, for that expression of goodwill. My good friend and ministerial adviser, George Karzis, in his old country in Arcadia in the Peloponnese in Greece, tells me that the deceased are buried for about a year or so and then they are dug up. The women remove any remaining flesh from the bones, using wine, and they are placed in an ossuary at the back of the Orthodox Church.

Similarly, in Italy, which I visited last year, the deceased are dug up after some years and their bones placed in an ossuary (a separate building) where they can be maintained with very little use of space. Greece is a country which has been Christian from the very beginning of the Christian endeavour. Similarly, the Italians were early converts to Christianity. They go back to the foundation of Christianity, so I hardly think their burial practices can be condemned as unchristian. Indeed, when I was travelling on a train in Calabria from Paola to Reggio di Calabria, I looked up on the hillside, the railway line being along the coast, and there was what looked like a little village. The buildings were small, as if they were for dwarfs. In fact, it was an ossuary where the bones are kept. There were so many buildings that it looked like a walled village.

On the question of graves in perpetuity, I wonder whether in a built-up area that is a conceit. It reminds me a little of the kings and aristocrats in England who wanted their gravesites to be tendered in perpetuity. Not only that, they wanted clerics to pray for them in perpetuity. So, they endowed what is called a chantry whereby clerics were paid to come each day and chant the holy liturgy at the gravesite. The reformation, which occurred after these chantries were endowed, took a very dim view of chantries and not only did clerics no longer come to chant the holy liturgy but also the tombs were desecrated. None of us can know how future generations will regard our tombs.

The member for Fisher mentioned that the committee resolved that the current limit of 99 years on interment rights be removed and replaced by a minimum of 25 years, with automatic rights of reissue and flexible payment terms in addition to the capacity of individuals to purchase perpetuity if they so chose. That recommendation seems to me to be eminently sensible. Indeed, I am the minister responsible for exhumations in South Australia, and I had occasion to ask officials at Centennial Park how long they like the body to be in the ground before an exhumation order is issued, and the answer was that their preference was about three years.

The member for Fisher makes the point that land is a scarce commodity in the metropolitan area. He also makes the good point that we need a central register established to maintain interment records. He says:

It is a sad fact that in some cases we have no record of who is buried in many cemeteries.

So, for those who are fond of perpetuity, what better thing can we do than get our records in order?

Mr Deputy Speaker, you mentioned the natural burial cemeteries developed as forests, and I had not heard of that idea before and it seems to me a splendid one. I am someone who is interested in cemeteries. I like nothing better than to go on a tour of a cemetery and, indeed, I was almost disturbed to hear that my late grandfather in Dublin, Ireland liked nothing better than to pack a Sunday lunch and catch a bus from his village to the historic cemeteries of Ireland and spend Sunday afternoon wandering around them. It seems to run in the family. I commend the report and I have the honour to be the minister who will carry it out.

Mr HAMILTON-SMITH (Waite): I wish to contribute briefly to this debate on behalf of the ex-servicemen's associations in my electorate of Waite, which have taken a considerable interest in the matter. I note reference in the report to graves and ex-servicemen, particularly on page 11 in the terms of reference, where definitions are provided for war graves, post war commemorations and war service badges, so there are three levels of protection for ex-servicemen as they are interred.

A number of concerns have been raised with me about arrangements as they stand. There seems to be provision for servicemen who have died on active duty and there also seems to be provision for post war commemorations for those veterans with qualifying overseas service who die, post war, of a war-related cause. The controversial group is that group covered generally by war service badges.

Mrs Redmond: The vast majority.

Mr HAMILTON-SMITH: That is the vast majority, as my colleague the member for Heysen points out. War service badges are privately organised commemorations used by those who have served. In these cases the veteran may or may not have been eligible for official post war commemorations. The Office of the Australian War Graves issues permission to use the war service badge but does not maintain the graves and does not transfer the commemorative plaque if tenure is not renewed by relatives.

This is an area of considerable contention because a lot of servicemen who come back after their service, be it World War II, Vietnam or one of the post Vietnam conflicts, carry wounds and injuries—physical, psychological and emotional. They die subsequently. There may not be a clear and distinct connection between the entire cause of their death and their war service, but it was certainly a factor. Yet these people are not included. They are not protected and brought under the umbrella of post war commemorations, and I think that is wrong.

There needs to be some scope for ex-servicemen, particularly ex-servicemen with qualifying service, to opt in. Not all will want to opt in, but there ought to be some process for certain servicemen to be able to be included and to have their grave registered as a post war commemoration. It is very difficult to determine whether these people have died as a consequence of their injuries. Similarly, there is virtually no recognition of their service.

I will give the house an example. One constituent came to me whose father was the first graduate of the Royal Military College Duntroon in 1911—staff cadet No. 1. He was quite a famous person. He subsequently went on to serve in World War I and, I think, World War II. He was a very distinguished soldier who was in ill health. He died many years later. His

grave is not perpetual and it is really not recognised. It is just up at Centennial Park. My constituent is fighting a huge struggle to have that grave become a perpetual grave. Soldiers such as these may well have been wounded on multiple occasions and they may well have had massive complications on their return to Australia. That they may have suffered and their families may have suffered in many ways. But, they may have come back and said 'Well, look, I'll manage and see my way through this,' and they go on and then subsequently pass away carrying their wounds with them; there is no provision for them. If their families want to go to the trouble of erecting a war service badge, they can do so, but, there is no protection for these people in terms of the Office of the Australian War Graves having an interest in maintaining their graves or giving it some perpetual status. I think there is something wrong about that.

Apart from this particular constituent, I have had the RSL raise some very serious concerns. I gave evidence to the committee and accompanied RSL groups to the committee. Their concern is that there are a large number of Vietnam veterans, for example, who are cremated and have the ashes interred, who do not fall under the category of postwar commemoration or war graves, and are simply war service badge cases. The Centennial Park Cemetery and others are in the habit of going around after 25 years and decommissioning their plot in the memorial garden and taking ashes away and reusing the plot. A lot of Vietnam veterans are finding this very disturbing. I would like to see the minister responsible for this to show some leadership on it and take this matter up with the commonwealth. The commonwealth is involved; it is part of the problem and part of the solution.

I would also like to see the responsible minister at a state government level see if there is something that the state government can do through legislation or other measures to address this concern. There is no reason why, if the commonwealth will not remedy this problem, that the state government could not take some action on behalf of Vietnam, Timor, Afghanistan and Iraq and many other veterans, and see to it that there is some perpetual status and some permanent commemoration and recognition of their service. I think the RSL has made a very good point and I congratulate Mr Glenn Cooley, the president of the Mitcham RSL who, along with his comrades, has taken up this particular issue most earnestly. I have been up to Centennial Park Cemetery with them and visited the sites concerned, and spoken to ex-servicemen and their families. It really is an issue that needs to be fixed. I would like the state government to take this matter up with the commonwealth and I would like to see a remedy.

Moving on, I see some commercial remedies for some of the problems raised by the select committee's report. I am surprised that cemeteries in the outer districts of Adelaide, particularly, in the member for Heysen's electorate in the hills, or in the northern districts in the Gawler region, or south in the electorate of Finnis, why some cemeteries which may have more space than those in the metropolitan areas have not seized a commercial opportunity and said, 'We will provide perpetual graves or 100 year tenure, and we will do that on a commercial basis and on a more affordable commercial basis than a metropolitan cemetery is able to afford or offer.'

I urge the government to approach cemeteries which have land and space and which might be in a position to offer such commercial remedy, to see if they can encourage such an outcome so that constituents and citizens like mine, who, on

behalf of her father sought a perpetual grave can, if necessary, have their parents removed to a perpetual site; or, in a pre-emptive way, they can book a perpetual site in advance of the death of their loved one so that they can have some comfort that their loved one will be there for the rest of their children's lives, at the very least, if not from a perpetual viewpoint. Finally, I urge the government to consider the significance of maintaining our heritage in regard to cemeteries.

In my electorate, for example, I have the Mitcham Anglican Cemetery and a community cemetery adjacent to it on the hill slopes near Old Belair Road overlooking the city of Mitcham and Adelaide. It has very many famous people buried there—the Elder family, members of the Waite family—accomplished people in the pastoral industry and in government, in military service and in other service to the community. It is a very historic site, so those graves are part of the tapestry and richness of our cultural heritage. They may not have been seen to be so at the time, but they are now. I make the point that certain community cemeteries that may not seem very important from a heritage viewpoint today may well be 100 years from now. They may well tell part of the story of life in South Australia as it was at the time of the turn from the 20th to the 21st century.

In summary, these are the three points that I want to represent:

- I want the state government to take up this issue of servicemen and the commemoration of perpetual graves where their death was not directly the result of their war service;
- I want the government to consider our heritage in allowing cemeteries to form part of that tapestry and richness of our great city and country districts; and
- I want the government to consider some commercial solutions and remedies rather than simply legislative remedies to this whole dilemma, because it is a very emotional issue. It is a very important issue to families, and it is a very important issue to servicemen.

I think the house has done well to get this committee underway and get this report onto the table. It is now up to the government to show the leadership that the whole community looks for in coming up with a piece of legislation and some other initiatives that will provide real solutions for people.

Motion carried.

ADJOURNMENT

At 5.53 p.m. the house adjourned until Monday 3 May at 2 p.m.

HOUSE OF ASSEMBLY

Monday 29 March 2004

QUESTIONS ON NOTICE

GLENELG NORTH FLOODING

220. **Dr McFETRIDGE:** How many claimants are there against the Government arising from the Glenelg North flooding in June 2003, where is SAICORP at in processing these claims, are interim payments being made and when will all claims be finalised?

The Hon. P.F. CONLON: I provide the following information:

The compensation scheme being managed by SAICORP was put in place within seven days of the flooding incident when it became apparent that most affected residents might not be covered for flooding under their private householders insurance policies.

143 claimants have sought compensation in relation to one or more categories of loss (building, contents, motor vehicle or other losses). There are a total of 359 claims from the 143 claimants.

94 claimants have had all their claims completely finalised.

Of the remaining 49 claimants, 37 have received payments in respect of one or more categories of loss.

The majority of claims yet to be settled relate to building repairs. In most cases, claimants have commenced their building repairs but some have elected to wait until the soil beneath their properties is dry.

SAICORP has been processing the payment of claims in the order they are received from the assessors. The completion of some claims, however, is awaiting information such as details of losses from claimants.

Assessors regularly follow up these details with claimants in an endeavour to finalise the claims.

Interim payments have been made to a number of claimants in respect of repairs to building structures where appropriate.

SAICORP continues to deal with these claims as a matter of priority. All claims will be finalised as soon as possible. This process is dependant, however, on claimants completing their building repairs and submitting their claims to the assessors.

SATELLITE IMAGING

239. **The Hon. G.M. GUNN:** Who authorised the use of satellite imaging technology to view farming and pastoral land, why is this information collected, how often does it occur and how much does this technology cost annually?

The Hon. J.D. HILL: SA government does not operate satellites and therefore has to purchase any imagery it requires from others. The suppliers set prices and generally define capture coverage and frequency. Technology costs are borne by the suppliers.

Unless specifically tasked, satellites pass over the whole country and capture imagery in swathes. Such a capture methodology therefore includes farming and pastoral land.

I am advised that on occasions agencies within my portfolio purchase imagery from providers as required to assist with core agency business. Portfolio agencies have used LANDSAT imagery over the period 1-01-01 to 11-01-04 for:

- Project AEGIS;
- Soil, land or water information;
- Vegetation clearance;
- Bridal Creeper location; and
- Aboriginal Kuka Kanyini project.

INTERCHANGES, PARKING SPACES

243. **The Hon. M.R. BUCKBY:**

1. Will an additional 300 parking spaces be provided at public transport interchanges under the Draft Transport Plan and if so, what land is available and what is the cost?

2. How will endangered species be protected if their habitats are intruded by the transport corridors proposed by the Draft Transport Plan?

The Hon. P.L. WHITE:

1. On page 27 of the Draft Transport Plan there is a proposal to provide 300 additional parking spaces annually at public transport interchanges, stations and stops.

There are a number of interchanges, stations and stops throughout metropolitan Adelaide, all with varying levels of land availability, and land costs.

Consequently, it will not be necessary in every instance to acquire land to provide these proposed spaces. The Draft Transport Plan seeks to integrate and innovate and as such car parking for interchanges, stations and stops could be attained via share arrangements with existing parking allotments.

Since the release of the Draft Transport Plan in May 2003 the Government has delivered an additional 50 spaces at the Hallett Cove Beach Station, 90 spaces at the Elizabeth Station, and 50 spaces at the Old Reynella Bus Interchange. In addition the funded Mawson Lakes Interchange project will deliver a further 200 spaces when completed in 2005.

2. The State Government, via Departments such as Transport and Urban Planning, already has implemented and adhere to strict environmental impact mitigation controls. All transport projects require extensive environmental impact assessments, in addition to traditional environmental protection legislation and assessments, both at a State and Federal Government level.

Corridors proposed within the Draft Transport Plan will undergo the same high-level controls that are currently required of all other Department of Transport and Urban Planning activities. My Department will continue to maintain its high standard of environmental management.

ROADS, MAINTENANCE COSTS

245. **The Hon. M.R. BUCKBY:** What is the cost comparison per 1000 km of sealed road maintenance between private contractors and Departmental gangs?

The Hon. P.L. WHITE: Any comparison between the cost of Departmental resources and industry contracts for routine maintenance (all major resealing works are undertaken by contract) needs to be viewed with caution, as each maintenance area has its own idiosyncrasies. Generally, maintenance undertaken by Departmental resources includes areas where there is likely to be a higher level of maintenance risk and/or the network is remote and normally involves greater travelling distances to undertake the work.

For example a comparison which can be made is in the north of the State where there is a rate of \$380 000 per 1000 road km for industry resources and \$485 000 per 1000 road km for Departmental resources. In making this comparison, it should be noted that the Department maintains the Stuart Highway, where longer travelling distances and some poor pavements contribute to the costs incurred.

Departmental maintenance costs have been affected by the high expenditure associated with the current arrangements for hire of plant. A considerable reduction in plant expenditure will be achieved through the current Government initiative of the purchase of Transport SA's own major plant, which will result in maintenance cost savings.

LEARNER AND PROBATIONARY DRIVERS

246. **The Hon. M.R. BUCKBY:** Will the minimum driving age be raised and vehicle power restrictions on learning and probationary drivers be introduced and if so, what are the details?

The Hon. P.L. WHITE: The Road Safety Advisory Council has recently presented a package of recommended road safety initiatives to the Government. These initiatives include a proposal to enhance the graduated licensing scheme for novice drivers. The issues of the minimum driving age and vehicle power restrictions will be considered as part of this proposal.

ROADS, ARKOOLA TO YUNTA

249. **The Hon. M.R. BUCKBY:**

1. Is the Yorketown to Port Wakefield Road part of the B Double Route network?

2. Has the Department been requested to make urgent repairs to the Arkaroola to Yunta Road?

The Hon. P.L. WHITE:

1. There are a number of ways to travel from Yorketown to Port Wakefield. However, the current B-Double network does not allow B-Doubles to travel the full distance between Yorketown and Port Wakefield.

On Yorke Peninsula the road from Port Wakefield to Port Giles (Coast Road) is Gazetted for 25 metre B-Doubles and the roads from Kulpara to Minlaton, Maitland to Ardrossan, and Minlaton to the Coast Road (between Ardrossan and Pine Point) are Gazetted for 23 metre B-Doubles.

These routes account for some but not all of the journey between Yorketown and Port Wakefield.

2. Transport SA has been asked to carry out additional work on the Arkaroola to Yunta Road. The focus of these requests has been on the road sections between Yunta and Frome Downs Station. In response Transport SA has:

- placed a routine maintenance patrol on the road since August 2003,
- sunk an additional bore to address water supply shortages in January 2004,
- engaged an additional watercart in February 2004, and
- brought forward scheduled resheeting of the section of this road between Koonamore and Curnamona Stations from January 2005 to August 2004.