

## HOUSE OF ASSEMBLY

Monday 12 September 2005

The **SPEAKER (Hon. R.B. Such)** took the chair at 2 p.m. and read prayers.

### SITTINGS AND BUSINESS

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

That the sitting of the house be continued during the conference with the Legislative Council on the Statutes Amendment and Repeal (Aggravated Offences) Bill.

Motion carried.

### CHAPMAN, Hon. W.E., DEATH

The **Hon. M.D. RANN (Premier)**: I move:

That this house expresses its deep regret at the death of the Hon. Ted Chapman, a former member of the House of Assembly and minister of the Crown, and places on record its appreciation of his long and meritorious service and that, as a mark of respect, the sitting of the house be suspended until the ringing of the bells.

One of great things about politics in a small state like South Australia is that friendships very often transcend party politics. And so they should: after all, we do not live in the Middle East or in Chechnya. We have our differences and we have our robust debates both in and outside this place, but we are able to keep conflict in perspective and to eschew personal attack or character assassination. In the end, we are all patriots—patriots who care deeply about our state; patriots who want to do our best and leave our state better than we found it; patriots who want to give our children and their children the opportunity to do even better than those who came before; and, most importantly, patriots who tend to agree more than we disagree—although that seldom gets reported. When we disagree, we generally do so respectfully. I believe that we should constantly remind ourselves of the importance of this principle. It is one that we should strongly inculcate among newcomers to this place.

For my part, no relationship better demonstrated the value of placing the personal above the political than the friendship I enjoyed with the man whom we remember and honour this afternoon. Ted Chapman was a friend of mine. I knew him first when I was an adviser to premiers Dunstan, Corcoran and Bannon during the late 1970s and 1980s. However, I really came to know, like, respect and work with him when I became a member of this house almost 20 years ago and when we both sat on the Public Works Standing Committee. Much of the thoughtful and constructive work of this parliament is carried out by parliamentary and select committees. Indeed, a massive amount of work is done by the committees of the parliament. Perhaps many people outside of parliamentary life do not realise the huge amount of work they do—and the Public Works Committee has exemplified this fact for as long as I can remember. Indeed, over generations, the committee has been about as bipartisan as it can get, and this was certainly the case when Ted and I were members. During my time on the committee—and, in fact, from talking to people who had been on the committee before me—I can think of only one reference to the committee when members split along party lines, and that was in relation to the Adelaide Entertainment Centre; and there were all sorts of reasons for that.

In the 1980s, under the sound chairmanship of the late Keith Plunkett, Ted, Terry Roberts, Phil Tyler, David Wotton, Murray Hill and I travelled the state, and beyond. Ted was, of course, a great character. He was a terrific off-the-cuff speaker (one of the best I have seen). He could be both charming and mischievous, and he was a great practical joker (I know, because I was the butt of a number of his jokes). He was also a lovable rogue. Ted also very competently led the debate on the public works standing committee for the opposition, and he was a skilful interrogator. Some of his colleagues called him a 'bush lawyer'. He was an interrogator of both public servants and the protagonists of public works projects. Ted was always polite to those appearing before the committee but no-one was better than he at gently baiting a trap for an arrogant, pompous or puffed up witness, particularly if it was a senior public servant (and particularly if it was a CEO, or a director-general as was the case in those days) who appeared to treat the committee with disdain.

Ted was also great fun, and there are a number of memorable incidents and stories that I can and will recall today—and indeed many that I will not! For example, there was the question of the three aeroplane incidents. I was the acting chair of the Public Works Committee at one stage and we were going off to various references—one at Mount Gambier, one at Woomera, and I am not too sure where we were going on the last trip. During the first trip, on the way to Mount Gambier, we had taken off from Adelaide Airport when we lost the use of all instruments. This was somewhat of a concern to us all. The pilot, who appeared to be barely of an age to have a driving licence, rapidly and successfully returned to the airport. Then we took another plane to Mount Gambier, spent a couple of days there, and returned. As we took off, the nose cone (it was a different plane) flew open and there in front of us was our luggage teetering on the edge as we were over the forests. I remember being particularly concerned because my luggage had quite a bit of Labor Party polling in it and I wondered how I would explain having spent the weekend searching the forests!

The third and final event occurred on the way to Woomera. I had fallen asleep on the flight and woke to find Ted Chapman on the floor basically hand cranking down the undercarriage, because apparently the undercarriage was stuck and we could be forced to belly land. Ted successfully saved all our lives by hand cranking down the undercarriage. We thought this was terrific but, later in the day, I received a phone call from a friend in Sydney who said, 'I understand that you were in this death-defying incident. We have just heard it on Sydney radio.' Apparently Ted was interviewed on Sydney radio and said words to this effect: 'It is only in a crisis that you really learn the full measure of your colleagues, and even your opponents.' He said that one of the young members of the committee, the member for Briggs (which was me), had, in an act of extraordinary generosity and heroism, offered to use the only parachute on the plane in order to lighten the load for the belly landing! This was run in Sydney, Brisbane and Melbourne, as well as Adelaide.

We had some great fun. I remember the Finger Point sewerage scheme—and the member for Mount Gambier would know all about that. Ted took a particular interest in the Finger Point sewerage scheme and then insisted to the then minister for public works, Terry Hemmings, that it was vitally important that we get this right and therefore we should visit similar sewerage operations in other states. So, there was a trip to Sydney, Newcastle and Lake Macquarie, where we investigated the equivalent sewerage scheme. Ted

then returned and said it was quite clear that the department was going for the Rolls Royce model when a Mercedes or a Holden would do.

Then there was the issue of the bills. We had a particularly tight secretary of the committee when it came to any expenditure—and that is a very good thing. He was what is known in south London as sharp around the shilling.

Ted used to arrange practical jokes so that, if we went out for a drink, the bill would be put on the room account of the secretary of the committee. We had this regular thing with him charging into the breakfast room, having checked out, horrified at what had happened and who was responsible and Ted's warning him about his expenditure. There was also a case one night where we decided to reverse the situation and went to the casino, where we had heard that Ted was in the high rollers' room, as was his wont. We decided to play the same joke on him. A whole group of his colleagues decided to have a few drinks and charge them to Ted Chapman's account, knowing that he was locked away in a room into which we were not to be admitted. Suddenly he came storming out like a wounded bull.

Then there was the trip in relation to the Roxby-Woomera road reference. We had to determine the particular gradients of the Roxby-Woomera road, and it was quite a big project. Ted had had a very late night at the casino and was very tired. On the bus trip from Woomera to Roxby, he proceeded to do what appeared to be a striptease in which, first of all, he removed his tie and laid it out very elegantly, and then took off his jacket. We were all watching in disbelief, as were the public servants who were doing a presentation. Ted then took off his shoes and socks, his shirt and his trousers, and then proceeded to make a bed for himself at the back of the bus. After about two hours on the bus, he woke up and said, 'Stop the bus, I've got to ring my bookie.'

Then, of course, on a sadder scale, there was his car accident in the 1980s. Ted was very lucky to survive a terrible car accident. We all went to visit him at the hospital. He was giving every one billyo in the hospital, particularly the nurses, and he was explaining to us in great detail the condition of his liver and relating it to what happens to a lizard's tail!

Besides being good fun and good company, Ted Chapman was above all loyal to his mates, and this is something to which many members of this place will attest. Indeed, in the case of his very close friend the Deputy Leader of the Opposition, Ted's personal loyalty extended to his willingness in 1992 to give up his seat for the member for Finniss in order to get him back into parliament and into the leadership.

Throughout Ted's life and parliamentary career, he had an extraordinary overarching loyalty to the people of his beloved Kangaroo Island, where he was born on 16 December 1934. Ted was widely known as the 'King of Kangaroo Island', and he passionately defended and advanced the interests of islanders during his 19 years in parliament and long thereafter. In fact, I think that Mayor Michael Pengilly was attesting to the fact that, even in his last years, often the first call he would get each day was from Ted Chapman (whether it was 5.30 in the morning, or something) giving him useful advice. His maiden speech touched on a wide range of topics, many of which were to become Ted's enduring interest. He was concerned about the impact of planning laws not only on Kangaroo Island but also across the entire state. Of course, he strongly supported our primary producers. In that first speech, when he raised the issue of regional abattoirs, he told

members that he would keep on raising the subject until he got results. Ted said:

Be prepared gentlemen to be sickened of hearing about it or convinced.

On that same day he flagged his concern about the future of South Australia's fishing industry. Speaking as an employer, he also urged the fostering of cooperative relations between trade unions and businesses—an issue that remains as relevant today as it was then.

For the record, William Edwin Chapman was first elected to the seat of Alexandra on 10 March 1973, succeeding the Hon. David Brookman. Ted was re-elected in 1975, 1977, 1979, 1982, 1985 and 1989. He resigned from parliament on 11 March 1992. During his time in parliament, Ted served as the minister for agriculture and fisheries in the Tonkin government. I am very pleased to say that my friendship with Ted survived his leaving this house. I was honoured to have been invited to his 60th and 70th birthday parties; and I was grateful for the chance to visit him on Kangaroo Island when he was very ill, about 18 months ago. We decided to pay him a sort of surprise visit. We were banging on the door, and eventually Ted came to the door and I think was quite shocked to see me there, but I was also shocked to see him and to find that he was on a respirator.

We saw one another on a number of occasions, sometimes at the races where he would give me tips and tell me which bookie to go to, or more usually he would pop in to see me in parliament to talk about his beloved fishing, the horses, the island, the repat hospital (he was really pleased when we declared that the repat would stay in the hands of the diggers and would never be taken from them) or his trips to the Middle East. He was passionate about relations with the Middle East. I think that his passion about that came out of his work as minister for agriculture in the area of dryland farming. He knew that, in order to do business in the Middle East, you had to develop long-term relationships. I think that he had a very close personal friendship with a sheik in one part of the Middle East. I know that he worked very hard. There is a range of projects in the Middle East that I know he was very proud of.

Also, occasionally he used to give me calls to let me know how I was going. I remember that he phoned me from the hospital just before he went under the knife for major heart surgery. We were just having a chat and then I said, 'Where are you Ted? It's pretty noisy.' He said, 'I'm just in pre-med. I'm about to go under the knife. I had a heart attack when I was in Rugby in England.' Basically, the noise was due to the nurses telling him off for being on the phone. Right up until our last conversation I greatly appreciated his advice and wise counsel.

Ted was a shearer who was known for being tough but also fair. He also used to make sure that a proportion of wages went back to help wives and children. I know that he fostered a very close friendship with Garnet Wilson who, for more than a quarter of a century, was the head of the Aboriginal Lands Trust, and I think was the first Aboriginal wool classer in Australia. He was a very close friend of Ted's. He will be remembered as a shearer, a fisherman, a farmer, a hotel operator, a parliamentarian, a minister, a great raconteur (one of the best), a good friend and a loyal mate.

Ted Chapman was all these things, as well as an outstanding servant of Kangaroo Island and of the state. I want to extend my sincere condolences to Ted's family, friends and colleagues, especially to his children and his daughter Vickie,

the member for Bragg, whose eulogy at her father's funeral was one of the most moving I have ever heard. We are saddened by Ted's passing yet grateful for his many achievements and warm friendship. With other members of this side of the house, I commend Ted Chapman's immense contribution to South Australia. May he rest in peace.

**The Hon. R.G. KERIN (Leader of the Opposition):** On behalf of the Liberal Party, I second the motion and express our regret at the passing of the Hon. William Edwin Chapman MP, former Minister of the Crown and member for Alexandra, and wish to place on record our appreciation of his distinguished public service. I ask that you, Mr Speaker, convey to Mr Chapman's family our deepest sympathies and appreciation for the contribution he made to the state since his election to the House of Assembly in 1973. Born in Kingscote, the former champion shearer, woodcutter and Jack of all trades began his political career in 1973 when he won the seat of Alexandra, a seat he would hold for 19 years until his retirement in 1992.

Ted Chapman stayed on Kangaroo Island most of his working life and was very active in the local community, including service on the local council and hospital board prior to coming to this place for his extensive parliamentary service. At the beginning of his parliamentary career, Mr Chapman caused quite a stir and became something of a minor political celebrity. This came about due to his candour and a particularly forthright speech during the 1973 budget debate only six months into his first term. Mr Chapman criticised both state and federal governments for inefficiency within the public service. So open and frank was the speech that Mr Chapman was supposedly ordered to sit down by his colleagues. As all of us knew, Ted was not very good at doing what he was told, so I doubt that he took any notice of them.

After being a shadow minister and serving three terms in opposition, Ted Chapman became the Minister for Agriculture and Fisheries after David Tonkin's victory at the 1979 election. During his time as minister, Ted Chapman travelled widely and was a strong advocate for pastoralists. One of his main achievements was opening up grain trade routes and live sheep exports to the Middle East, an arrangement of vital significance to rural communities. As the Premier said, Ted retained an enormous interest in the Middle East and, in my time as minister, I certainly saw the benefits of Ted's connections there. Having later held the same portfolios as Ted had, I know that many of his decisions and activities were still talked about 15 to 20 years later. He certainly made a huge impression on the sector and achieved much change for the people of rural South Australia.

I also had the pleasure of Ted chairing the marine scale fishery management committee whilst I was minister. He certainly handled this most interesting and challenging of tasks with great skill and gave me a great insight into his rather unique way of handling people and situations. He certainly was not in the least backward at giving fearless advice. Recently, I met with one fisherman in Port Lincoln who told me of a meeting that he had had, and at the time he could not remember the name of the minister, apart from identifying him by saying that he started off with, 'Look here, sonny,' which made it pretty obvious who he was talking about. That fisherman is now one of South Australia's wealthiest people, but I remain ignorant as to whether he took the advice or ignored it.

Although personally not against gambling, as the Premier has said, Ted Chapman strongly disagreed with South Australia's having poker machines, believing that people should never gamble their life savings, only their holiday money. Over the years, this topic was the subject of many heated debates with Liberal and Labor colleagues alike. Mr Chapman suffered a heart attack in 1991 and his health was dealt another blow when he was involved in that very serious car accident the following year. Following this, Mr Chapman decided that it was time to make way for a future premier within the Liberal Party and resigned midterm to allow Dean Brown, the current member for Finnis, to return to parliament.

Following his parliamentary service, Ted Chapman continued to be active in the community, serving on a number of boards and committees and continuing his greatest passion, his fishing. No doubt, knowing the fisheries laws so well, he would have followed them. Since Ted's death I have heard many Ted Chapman stories. He was obviously a man of great dedication to his beliefs and had a very unique style. I suspect that some of the stories about Ted will survive the test of time and still will be told in decades to come.

I am sure that subsequent speakers will relate a small selection of those stories today. Not having served in this place with Ted, I think for some of us that has probably left us shorter of stories than those who did serve with him. I pass on our condolences to Ted's seven children and eight grandchildren, particularly Ted's daughter Vickie (the member for Bragg), and, like the Premier, congratulate her on her eulogy at Ted's funeral.

I am sure that all members present will join me in paying our respects to the late Ted Chapman and in acknowledging his great contribution to the state of South Australia.

**The Hon. K.O. FOLEY (Deputy Premier):** I want to make only a brief contribution. My experiences with the Hon. Ted Chapman were as an adviser to former minister and premier Lynn Arnold during the late 1980s and early 1990s, when I got to meet and know a number of members of parliament and former members of parliament. One of the great experiences of working with Lynn Arnold was that he had a very good relationship with members opposite. I know the former premier and now deputy leader of the opposition was and is a good friend of Lynn Arnold. In fact, when the deputy leader was not in parliament, he worked closely with Lynn Arnold. However, another one was Ted Chapman. When I was adviser to Lynn, Ted used to contact me from time to time wanting some information and access to various public servants for work he was doing, and I was happy to oblige.

There is one anecdote that I think would be useful to throw into the mix because, if anything, it highlights that, notwithstanding the vitriol and carrying on that occurs in this place and in the battlefield of politics, good friendships develop across either side. I remember that we, like every government in this place for the last 25 years, had to deal with the Gulf St Vincent prawn fishery. We all know Maurice Corigliano well. I went to school with his daughter, and she is a very good friend. I am not being critical of Maurice, except to say that Maurice and the Gulf St Vincent prawn fishers used to live for new ministers for fisheries and new advisers to ministers for fisheries because they could retell their story. The then Labor government in the 1980s, as many may recall—some would not—decided to close the fishery and have a buyback, and from there these troubles began.

When Lynn Arnold became fisheries minister, we were presented with this problem by the then director of fisheries—and, boy oh boy, was it a problem. After about six or 12 months of trying to deal with the problem, we came up with a government solution: let's form a committee; let's try to handball to a committee this incredibly difficult and impossible problem for the politicians to resolve. We then said, 'What sort of a committee do we want to oversee this problem?' The first thing we realised was that it had to be people who were pretty hard and pretty tough. I am of a mind not to use any swear words, but we had to have people who were really tough people. We thought, in order to be clever politically, that we would have one from either side of politics. We tried to think of someone who was a really hard nut who would take no crap and someone who would be able to deal with the strong personalities of this industry. I immediately thought of the former senator and then Labor member, John Quirke; his name quickly came to mind when I was thinking of someone who could handle like people.

Lynn Arnold then said to me, 'I've got just the person from the other side, and that is Ted Chapman.' We rang Ted and offered him this position, and he jumped at it, because it gave him an opportunity, together with John Quirke—and I think they formed a very good friendship from that moment onward—to deal with a problem which Ted had been aware of for a long time and which he had dealt with as a minister for fisheries. Together, the two of them presided over a significant restructuring of the prawn fishery, which we were incapable of dealing with in government. I got to know Ted well during that process, and he was outstanding at that job and, as I have said, on many other occasions.

I, too, pass on my condolences to the Chapman family and, obviously, to the member for Bragg. It is very difficult for any son or daughter to speak at their father's funeral, as my very good friend the member for Lee had to do with the passing of his father. It was not easy for the member for Bragg to have to deal with the passing of her father in the way in which she did. I also pay tribute to her outstanding contribution and eulogy at the funeral, and it will be no easier for her today. I pass on my condolences to the Chapman family.

**Ms CHAPMAN (Bragg):** May I thank the Premier and the Leader of the Opposition for moving and seconding this motion today, and say, on behalf of the Chapman family, the appreciation that we feel for honouring Ted in this manner. May I also say that, for many of the current members and former members, together with the Premier, the Leader of the Opposition and the Deputy Leader, who spoke at Ted's services at Kingscote and at North Adelaide, you deeply honoured our family by doing so.

I also wish to especially acknowledge the Clerks of both houses who attended on that day. I know that that was a personal attendance, and on behalf of those whom you were representing as staff of both houses of this parliament. And there were a number of the staff who worked with dad during the time of his period here in the parliament, and put up with him on his revisits. They could understand, of course, that he would be difficult on some days and impossible on the rest. But I do wish to especially acknowledge that because it has been a tremendous support to the family.

During the past two years particularly, dad's health was failing. Notwithstanding the survival of the tractor accident in the 1959 floods at Oakbank, a back injury building the Stokes Bay tennis court in the 1960s, being rammed by a bull

in the 1970s, and breaking nearly every bone in his body from a car accident in the 1980s, followed by heart attacks in the 1990s, and a lifetime of adventures, some of which I will not disclose, he finally succumbed on 25 July this year.

Ted left a legacy of many grandchildren. Last Saturday his eldest grandson William married Edwina Forest at Snellings Beach on Kangaroo Island. I am sure that if Ted had been there—and he was with us on that day—he would have impressed upon William the importance of getting on with the eighth generation of Chapmans.

He was born on 16 December 1933 to Ross and Gladys Chapman on Kangaroo Island. This was his home except for a short period at the Sturt Street Primary School during the war. He was otherwise educated at Kingscote to Intermediate level. He shared his childhood and, indeed, the rest of his life with his sister Alison, who remained his most loyal and devoted supporter and friend. The family grew up on properties at Brownlow, Snelling's Beach and Snug Cove. Putting in the cray pots and boiling up the copper for the spoils were all part of their early life. To finish his schooling at Kingscote, he lived with his grandparents at North Cape on Kangaroo Island. They already had 14 children. He also enjoyed visits from his gran Dayman of Port Adelaide, and his childhood dream was to build a bridge to the island so that she could visit at any time. These women, in fact, remained a significant influence in his life.

At 16 he contracted to purchase a scrub block known as Gum Valley at Western River. He could not legally own the property until he was aged 21 years but was determined to work hard and pay for it so that he might obtain clear title. He commenced clearing and fencing the block, lived in a small hut, and cut and sold yakka gum, which provided him with a pretty good start. Having learnt to shear at a young age he travelled to sheds across the Mid-North of South Australia. And still today people tell me of the young Teddy Chapman from Kangaroo Island who shored in their sheds. Ted was five times champion shearer at the Pardana Show, three of those years consecutively. As with everything he did, he did it well.

With the development of the Soldier Settlement Scheme, Ted contracted to fence a number of the soldier settlement blocks. This was backbreaking work, but he would proudly say that he had fenced all the way to Jumpoff at the western end of the island. How he had time to fit in national service is hard to imagine. But, as with many of his generation, the war had instilled a great sense of duty to country. Ted started with the sheep on his property. His grandfather had impressed upon him that every year he should donate a bale of wool to each of the church, the hospital and the Liberal Party. The problem for dad was that his first clip was only three bales.

Ted married Patricia Harvey from Stonyfell in 1955. He built her a four-room shed with running cold water at least. Over the next 15 years they built a shearing contracting business, involving livestock and wool cartage, and at night dad delivered drums of petrol and oil as the local Shell agent. Somehow they managed to have five children: Billy, Vickie, Jim, Della and Trish. Tragically, they lost Billy aged six years.

Typical of dad, he had us all christened on one day. It was a bit like a sheep dip! With a family, dad thought it was time to build a proper house and, at one dollar a brick with cartage, this was an expensive exercise. So the ANZ bank, not surprisingly, asked for insurance cover when they received a loan application for 110 per cent against the land value. Ted said that, if they would not take the risk and had no confidence in his future, they could insure the loan—and they did.

Notwithstanding that he was probably their most difficult customer, they stood by him for nearly 60 years.

Running Gum Valley and his businesses, as well as serving on the Kangaroo Island Council and hospital board, was not achieved without the assistance of many remarkable people. I refer also to his commitment ultimately to become master of the grand lodge at Parndana. During the 1960s particularly, shearers, rouseabouts, wool-pressers and classers would arrive each September—up to 50 men were accommodated at Gum Valley and the shearing quarters that Ted built at Parndana. Up to eight shearing teams at a time would shear until Christmas and some into January.

His cattle were his great love, and he would say, 'It is important to look after your stock, wife and children in that order!' I have to say, though, that chooks took a much lower priority. He would say that if they were laying eggs they did not need feeding, and if they were not they did not deserve feeding. I can assure you, sir, that we all clearly understood that, if we did not do our jobs, he might extend that policy to his children!

Ted expected a lot of his workers, whether they were rouseabouts or gun shearers. He did not tolerate excessive drinking or any failure to provide for their family. He insisted that money be sent home to wives and children, and direct payments would be made by him. At weekends they fished, caught crays, played cards, and ground their combs and cutters. At cut-out on the last run, the final wages were calculated, and Ted would always offer to flip a coin, saying, 'double or nothing'. Some, I am pleased to say, were smart enough not to take the bet.

As recognised by the Premier, Garnet Wilson was the first Aboriginal wool classer in Australia, and he worked for dad for many years. They became great mates, and dad greatly respected Garnie's work as chairman of the Aboriginal Lands Trust.

Many young men of that time graduated from the Ted Chapman school of hard work and were set with skills for life. Usually their first lesson was to clean their boots, and if they left their clothes lying around he would put them in the rubbish trailer. They have told me, though, that he was tough but fair. One of those recently contacted dad. Gleeson Ayliffe, a graduate of that school, telephoned dad to say, 'I have been meaning to ring you for 30 years and thank you for getting my life on track.' He is now a very successful boat builder.

Roger Borgmeyer of Kangaroo Island was a fellow shearer who also worked very hard for dad. He has been acknowledged in recent times particularly. I found a cheque butt of dad's in payment to Roger for three pounds four shillings and sixpence, and I can tell you that he would have earned every penny. Together with our brother Jim, they are really the reason why our father remained the longest living owner/occupier of farming land on Kangaroo Island.

Dad also loved a bet; he would bet on two flies crawling up a wall, I think. He enjoyed horse racing and he supported that industry, but his greatest actual passion was for fishing. In the early days when we were still allowed, we would net the beach. Most often this was at Snellings Beach or Western River Cove. He was not always one for rules and regulations, including net licences. One night at Snellings Beach after a successful fish he was approached by a man with a torch. Ted called out, 'Who's that?' The reply was, 'I am the fishing inspector.' Ted said, 'Thank goodness for that. I thought you were the owner of this net!'

Many of you, Mr Speaker, and members, will remember Ted greeting you with 'Hello Jack', irrespective of your given name—male or female, for that matter. On one of the many occasions he stopped to help someone with a flat tyre, he extended this usual greeting, only to be met with the response, 'How the hell did you know my name?'

In 1972, Ted married Coralie Harris and, in addition to giving us two beautiful sisters, Sasha and Amber, Coralie supported our family and our father during his political life. As we acknowledge that today, I especially wish to pay tribute to her for that support.

In 1970, the Kangaroo Island community faced many challenges, and dad was asked to go to North Terrace and sort out a few things. The honourable member for Finnis will speak shortly in relation to some of his political life. He was a dear friend and colleague of dad's during that time and, as dad was not too keen on women lawyers, much less on women politicians, it is particularly fitting that he pay tribute to this time.

Some of you will remember the film *Sunday Too Far Away*, which was about the shearers' strike in the 1950s. The newly elected Prime Minister, Mr Whitlam, was coming to Adelaide for the world premiere screening. This was shortly prior to dad's entry into the parliament. I particularly remember that night, because I attended the Festival Theatre with my father, and I was seated between my father and the Hon. Jack Wright. It was a most entertaining evening. I think what impressed me more than anything was that these men, of course, had known the shed in which this film was made and which they had spent many of their pre-political days visiting—in different roles but, nevertheless, they knew each other well. I suppose the most embarrassing thing that night was that they would both be laughing whereas the rest of the audience was not. So, they had a special bond. I distinctly remember both of them being particularly unimpressed when, later in the evening, they met the film star Jack Thompson, who, by that stage, had long hair and was wearing a purple shirt.

Bob Hawke also used to visit Adelaide back then, and he loved a good game of cards. Ted got the call to join the table and accepted the invitation on two conditions. One was that the winner was to take all and the other was, 'Don't tell Bruce Eastick.' Out of respect for both of them, I will not tell members who won.

On his retirement from politics, Ted fulfilled a promise to the Iraqi people in the continued establishment of their pivot irrigation system. From attending to paperwork in Baghdad to visiting the spectacular green circles of produce, he took great pride in bringing a livelihood to these people and a life to their land. He earned great respect and did not seek accolades or rewards. However, he appreciated the fitting response when the Iraqi people said, 'Thank you honourable Ted. You have made our desert sing.'

I would like to acknowledge and thank all those people who served on boards, committees and inquiries with dad. I know it would not have been easy. As has been mentioned today, those inquiries included the scale fishery, the St Vincent Gulf prawn fishery, the Dental Board and the Repatriation Hospital, to name just a few. There has been mention today of Mr Corigliano. Shortly before dad passed away he said, 'I want you to ring Maurice.' I said, 'Maurice who?' He said, 'Maurice Corigliano.' I said, 'Well, what do you need to speak to Maurice about?' and he said, 'Just ring him up and tell him I want to have a good argument. He can pick the subject; I will pick the time.'

Dad was not one for long reports or longwinded strategies. He expected results and he expected the books to balance. A special meeting of one of the boards was held to discuss future planning and, when the board members were asked to write down where they would like to be in 10 years' time, he wrote, 'In the arms of a beautiful blonde.' When I tried to reprimand him about this and commented that he was not taking the exercise seriously (this was after the CEO had rung and complained), he responded by saying, 'You might think you know everything but, let me tell you, the board liked my idea the best.'

I cannot possibly name today all of the many friends who supported dad during his life and political career, but all of them will remember that when he was asked how he was he would simply say, 'I'm all right. It's just the rest of the world that's arse up!'

Dad's ashes will be committed to a special place at the highest point at Gum Valley. Stephen Zealand, as we speak, is building a memorial for him. That is only after we spent half the weekend loading stones to build the damn thing—so Dad has the last say. If you ever go fishing out that way, he will expect you to stop on your way through and give a report on the catch.

Ted Chapman was our father but he was a shearer, farmer, bush lawyer, teacher, politician and fisherman, and today we thank him for his contribution to South Australia and his service to this parliament.

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** I join with others in saying to the member for Bragg, Vickie Chapman, that her father made a marvellous contribution to this parliament and state, and the stories we have heard about today highlight that character and the fun that he loved so much. Vickie, our thoughts are with you, particularly, and your family. He left a great deal indeed. Ted was a different person—I can attest to that, having come into this parliament on the same day.

Vickie has just told the story about the highly paid consultant who was asking for the views of the various directors as to where the committee should be in 10 years' time. What Vickie did not say was that Ted happened to be the chair of that committee, and I can say that it made very considerable progress from that point on.

He was certainly not a saint. He loved a public fight. He showed he was different from others. He was blunt and very outspoken. But he was passionate for his island and its people. He won the hearts and the confidence of Arabs, and was meticulous to the extreme when he wanted to win. He was a person of great contrasts. He did not drink but, as members have heard this afternoon, he loved to bet on anything. He worked in a shearing shed but collected cufflinks as a fascination. Any time I went to China or anywhere else he would say to me, 'Dean, make sure you bring back all the cufflinks you can find that represent a particular area.' He was incisive in his assessments but he could talk at great length, as some members of this house would know.

Ted Chapman was a larger-than-life character, even before politics. On the political stage that trait was enhanced further as he showed a unique blend of flair, controversy and pragmatism. He entered the parliament in March 1973, representing Kangaroo Island and the Fleurieu Peninsula, and remained the member for Alexandra for 19 years. He was proud to be the first islander elected to the parliament, and I cannot over-emphasise that point. He was very proud of the

fact that he represented Kangaroo Island. In return, he served its people with distinction and passion. He confronted several industrial disputes which threatened the livelihoods of the people on his island. He mocked the incompetence of government. Ted Chapman's contrasting characteristics shone through when he was minister for agriculture and minister for forestry from 1979 to 1982 in the Tonkin Liberal government.

Ted became the champion for the transfer of dryland farming technology to Iraq, Saudi Arabia and Jordan. The Arab people related to him and trusted Ted in a quite unique way indeed. One day, when he was minister, he rang me and said that a Saudi shipping company had brought a live sheep ship to Outer Harbor and that he wanted to host a dinner for the owner. From that night grew a life-long friendship with Sheikh Al Mukairish. More importantly, the Al Mukairish shipping company became the biggest shipper of live sheep in Australia, after it transferred its base from Western Australia to South Australia. That, of course, became a huge bonus for our sheep industry in this state.

Likewise, he earned the trust and respect of his shearing teams when he was a shearing contractor. As his Aboriginal wool classer and later chairman of the Aboriginal Lands Trust, Garnett Wilson OAM (to whom a number of members have referred this afternoon) said of Ted: 'Ted was a hard boss. . . I can only speak for myself—my relationship with Ted Chapman was good.' I can attest to the fact that Garnett had the highest respect for Ted throughout, and they remained very close friends. Ted's period as minister enabled him to show his real passion and practical commitment to agriculture. These were the golden days of the department and of agriculture. They had a minister who understood and fought for them very hard indeed.

He and I entered parliament on the same day in 1973, as I mentioned. I appreciated the unique ability of this lad who had survived cutting yacca and living in a makeshift hut on the western end of Kangaroo Island. I was honoured to represent his seat of Alexandra when he decided to quit politics in March 1992. Sir Thomas Playford had a great respect for Ted, even though Ted kept one of his teenaged daughters out in his scrub block one night when the axle of his truck broke. Well, that was Ted's version at any rate. On his return to Kingscote, Ted learnt the power of Tom's index finger being jabbed into his stomach. I know on several occasions Ted adopted the same practice just to show what a powerful impact it could have. He met Tom, with his daughter, at the front of the Ozone Hotel, and Tom backed him around the corner and up the side street away from the hotel trying to get an explanation out of Ted as to what had gone on.

They both had quite amazing memories. I recall sitting in the parliamentary dining room with Tom trying to outdo Ted in naming the residents of every house on a particular road running south-west from Parndana. Tom would name each of these people—quite a remarkable knowledge. Here was the premier of the state who knew who lived in which house on this particular road. I must confess that Ted did not have to give him any advice whatsoever; he just sat there saying, 'Yes, that's right.' He won the respect of his many parliamentary colleagues and others who visited the farm at Western River Cove, many of whom went net fishing, although there is still a question as to how legal that process was at various times.

On one such night a former police commissioner, Sir Harold Salisbury, was holding the lead-line on the net as

a young Vickie Chapman swam to drag the other end of the net out to sea. Strange car lights suddenly appeared. Ted leaned over to Harold and said, 'Hell, here's the fishing inspector and I haven't got a licence.' Sir Harold Salisbury dropped the lead line in fright, particularly about whether or not Ted had a licence. As they ate the fish later that night, Ted said to Harold, 'If you don't say anything about the licence, I won't say anything about your dropping the lead line.'

Ted loved his fishing. He would sit for hours in his small dinghy on the swelling seas beneath the cliffs at Gum Valley—no oars, no life jackets and a small outboard motor that would never seem to start—hauling in the massive King George whiting with a smile of triumph on his face. In fact, I remember sitting out there one afternoon with my young son—and the only fishing he had ever done was for tommy roughs off a jetty. He kept saying to Ted, 'When are we going to catch a tommy rough? We need a tommy rough.' Ted said, 'Look, son, we don't even catch tommy roughs here. We get only the King George whiting.' I also remember that same afternoon Ted taking about 20 minutes to start the motor as we were blown further out to sea with a south-westerly wind behind us.

That smile of triumph on Ted's face as he caught his King George whiting was often the smile I would see him have here in Parliament House as I came to respect that lovable giant. There were some quite memorable quotes. I will not go into some of them; it is inappropriate to do so, but there were many. Here are just two. At the time of Don Dunstan's poetry and Gough Whitlam's purchase of the Blue Poles, Ted said:

Neither people nor stock can be fattened on poetry and Blue Poles.

On the subject of unemployment, he said:

I believe in paying well those who work, helping those who can't and starving those who can but won't.

Despite his willingness to confront, he showed exceptional mediation skills. When smoke-free dining was introduced in 1998, Ted was appointed to resolve all disputes with the hospitality industry before reverting to formal arbitration. Out of the dozens of disputes that arose (and some of the hoteliers were looking forward to a real fight and for arbitration), not one ended up in arbitration. Life with Ted was not easy. His expectations were very high. There are many, I know, who could testify to that, and I know from sharing an office with him, following him in the electorate of Alexandra, sitting around a cabinet table with him and pairing with him to win the 1981 parliamentary snooker pairs championship. I doubt whether I would be alive today if we had not won.

Attending his memorial service were many representatives from veterans' communities and the Repatriation General Hospital. As the Premier said, Ted loved the Repatriation General Hospital. The independence of the hospital today as a specialist hospital for veterans is a testimony to Ted's tenacity and respect for veterans. Ted put the same enthusiasm into public dental services as a board member of the South Australian Dental Service. One thing that did amaze me was being approached just a couple of weeks ago by one of the youngest and most highly-qualified dentists who sat on that board. She was a meticulous person, very well spoken and an absolute delight. She said, 'You know, Ted was pretty rough at times', but she said that there had been no one person who meant more to her in the development of her career than Ted Chapman. I thought that spoke a great deal

because, in terms of personalities, they were like chalk and cheese.

I mentioned Ted's tenacity. Very few members of parliament would have persisted for 19 years after collapsing down the marble steps of Parliament House (and I still recall that evening when he did that); being gored by a bull; collapsing while on an interstate parliamentary delegation; surviving a quite horrific car smash; and, finally, sustaining a heart attack. Yet he did not complain about his injuries. His friends and colleagues here today, as seen by both the diversity and the number of those who went to the memorial service, reflected the admiration and appreciation of a person who contributed so much to others and to our broader community.

On behalf of past and present parliamentary colleagues and the wider community, I again convey to Vickie and her brothers and sisters—Jim, Della, Trish, Sasha and Amber—our condolences, our sympathies, and our very special thoughts. Ted has left huge footsteps for all of us to follow in. Most importantly, we have a lifetime of happy memories and a wealth of stories to cherish as we remember our friend and colleague Ted Chapman.

**The Hon. L. STEVENS (Minister for Health):** I would like to speak briefly about Ted Chapman, whom I met when I became Minister for Health. As has been noted, Ted was serving at that time on two of our health service boards, the South Australian Dental Service Board and the board of the Repatriation General Hospital, and I was happy to reappoint Ted to the South Australian Dental Service Board. I must say that Ted and I did not always agree on the way that we saw things, but I was always happy to listen to his advice—and he was always happy to give it. I agree with the member for Finnis that Ted was larger than life, but I believe absolutely that he was passionate about the things that he believed in and he did his very best to help the people of this state. I would like to give my condolences to the member for Bragg and all members of her family.

**The Hon. W.A. MATTHEW (Bright):** I, too, will speak briefly to this motion and, in so doing, first extend my condolences to the extended Chapman family, particularly to Vickie as member for Bragg and Ted's daughter. I commend her for her contribution to the motion today and also for the very fitting manner in which she gave her father's eulogy. I first met Ted Chapman in 1988 when I became the Liberal Party candidate for Bright. As is the way most political parties operate, marginal seats are often paired with other seats in the electorate for assistance, and in my case I was paired with the electorate of Alexandra. That meant that I received considerable assistance from the Hon. Ted Chapman in terms of campaign fundraising and particularly with political advice.

I remember fondly one occasion on which we were trying to win a seat from the Labor Party and I was particularly concerned about the amount of expenditure that we had. Ted simply put to me: 'Don't you worry about that, son. You spend it: I'll raise it.' And raise it he certainly did, and he let me know in no uncertain manner that I owed a great debt of gratitude to the residents of Kangaroo Island for much of the funding that was raised and, therefore, now that I had been elected to parliament I was duty bound to accompany him to Kangaroo Island to meet residents, to learn about the island and come back to the parliament better informed. I did that,

and found that that extension of my expression of gratitude meant spending a long weekend at Gum Valley.

Also staying on that occasion were some of the branch members of the party as well as Ted's surgeon, who had done a lot of work on him after his accident or, as Ted put it, put him back together again. Ted commented to me, 'I want you to get on well with the surgeon, son; he's a good man. I've got him here for two reasons. First, if anything goes wrong, he knows how to put me back together again and, secondly, he's the only person who can confirm that I really do have red blood flowing inside me and that there is flesh left there as well, because he has seen me on the inside.'

I got on very well with his surgeon friend. I can recall fondly Ted's activities before a barbecue that was to be held at Gum Valley, when he was having some 40 or 50 people over. About half an hour before the guests arrived, he was concerned that he might not have enough seating. So, Ted decided that he would constructively use that half hour period to make some seating for the guests. The seats comprised of fencing posts which, of course, had to be sunk into the ground, with a plank over the top. He did not want any help—you could not help Ted—he was going to do it himself. I was standing there with the surgeon, and he said, 'Just look at the way this guy's abusing his body. I didn't put him back together again for him to do this.' Ted was standing, legs astride, crowbar in hand, pounding the earth in front of him to sink the holes to place the posts in. Being determined, Ted ignored his surgeon's chidings and completed the task at hand. He sank a number of posts into the ground and had his seats ready.

It was an educative weekend for my eldest daughter, who was three years old at the time. Being a little girl from the city, to her, when you went shopping for chops for a barbecue, you simply went to the supermarket, and your meat came on a foam tray covered in plastic. I remember her standing under a gum tree outside the living area on Ted's farm. He had a tree stump with a hook over the branch of the tree hanging above the stump, and there was a meat cleaver in the stump. My daughter looked at the meat cleaver in the stump and said, 'What's that for, Ted?' He said, 'That's to make the chops for the barbecue.' She looked up at the hook on the tree and said, 'What's that for, Ted?' He said, 'That's to hang the sheep while I make the chops for the barbecue.' Until that time, my daughter had no idea that that is where lamb chops came from, and I do not think she has eaten lamb chops since. But she certainly got a great education from Ted.

When I finally took my seat in this place, my advice from Ted Chapman did not cease—in fact, it extended. I sat on this bench when I first entered this parliament after the 1989 election. I had sitting on my right the member for Alexandra (Ted Chapman), who sat in the same seat the member for Kavel now occupies. To my left sat the member for the electorate now known as Stuart (Hon. Graham Gunn). As those members who know both gentlemen would know, I was getting advice from the right and the left. I have to say that sometimes the advice was not always the same, so I would lean back while they would argue about whose advice was better and which advice I should follow.

Ted insisted that he occupy the seat which the member for Kavel now occupies. He would be horrified to know that it is the member for Kavel and not me who is occupying that seat today, because that is the seat Ted used to call the jump-off seat. If you sat in that seat, that is the seat you had to retire from. Now that I have returned to the back bench to retire, it is probably more appropriate that I should be sitting there and

that I swapped sides with the member for Kavel, because I am sure the member for Kavel is going to be here for many years to come. However, that is the seat that Ted said was the jump seat.

Something else Ted stressed to me was that you did not need notes to speak or to ask questions in his place. Dutifully, as all new members do, when I asked my first question in the house, I read from the note I had in my hand. I sat down, and Ted said, 'That wasn't bad, son, but next time you don't have notes.' Well, the next day I had a question and, when I stood up to ask my question, as I looked down at the piece of paper, this hand shot out from my left and grabbed my question from the corner, and it was gone. I turned to protest, and Ted looked the other way. So, I asked my question. He said, 'That wasn't too bad, son. Next time read it twice before you ask the question tomorrow.' Needless to say, if I did have notes, I kept them out of Ted's reach. Frankly, I was not game to write too many notes for today, because I was sure that Ted, from up there or down there, would be chiding me for referring too much to notes. He used to say that, if you do not know it or you cannot remember it, it is obviously not worth saying.

Ted often used to come into the parliament after he had retired. Quite often I used to enjoy sitting with him and catching up with this latest escapades and travels. I can recall gibing him when his daughter became the president of the Liberal Party. Those of us who knew Ted well know that he did not really like women in politics. He accepted it as a necessary evil of the change of time, but he did not really like it, so he was not too impressed that his daughter would become the president of the Liberal Party. It was bad enough that the president had to be a woman, let alone that the woman was his own daughter, for someone who had advocated so long that a woman's place was not in parliament. Then, it was pretty obvious that there was a fair chance that she may become the Liberal candidate for Bragg.

I can remember on one occasion stirring him fairly lightheartedly about it, and he was pretty aggravated, and assured me that he had tried to talk her out of running. Vickie had a successful legal practice, and he could not imagine why she would want to wreck it to come into this place. Just before the preselection I stirred him up again and indicated it to him that I thought that she was going to become a candidate and that she would probably become a member of parliament, and how fitting I thought it was, particularly in view of his upbringing. He had obviously armed her with the ability and the desire to be a member of parliament. He turned to me and said in mock hostility, 'She's a bitch. You will regret her coming in to the place; she'll change it forever,' then grinned.

I think the fact that Ted Chapman came into this place more after his daughter was elected than he did before was his own way of showing that he was damned proud of the fact that his daughter had been elected to parliament. Despite the fact that he did not think that women should be in this place, I think Ted demonstrated by his presence that he had mellowed quite a lot, and I think that a lot of his chastising of women in parliament was probably tongue in cheek, just as his comments about his daughter were. He struck me as being a very proud father. I watched him a couple of times when the member for Bragg was speaking, and that fatherly pride was fairly obvious.

Ted Chapman is a man whom many of us will miss, and I will certainly miss my discussions with him, his robustness, his friendship, his good sense of humour and his great zeal for life. He did not complain about the injuries he had



sustained; he just got on with it. At the end of the day, the amount of time that has been devoted to this condolence motion by this house by members from both sides is, indeed, a fitting indication of the level of respect in which he was held. I extend my condolences again to the extended Chapman family.

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** I would also like to make a brief contribution in supporting this condolence motion. Ted Chapman was a really, really good bloke. I first met him in about the mid-1970s. Ted would have been in parliament and, of course, my father was in parliament at the same time, but I also got to know him very well on the racing course. He would often be at the races, and I know that he was held in deep appreciation by all people in the racing industry. He was a fantastic supporter of racing and, in particular, but not solely, he was a great supporter of both Strathalbyn trotting and racing and also Kangaroo Island racing. He very much supported those two areas, obviously in his own constituency, as well as having that broader picture of what he thought the future of racing should be. I had a number of interesting discussions with Ted, my father and others about where racing should be heading. I know that his frequency on the racecourse was very much appreciated.

I also recall, interestingly enough, Marty Miller, a very well-known bookmaker, often saying to me, 'Ted was a freak. He'd always find me when the Liberal Party was odds-on to win the election for a bet, but we'd never see him when the Labor Party was favourite.' I guess that showed Ted's very, very good instincts. Another one of his great mates, of course, was Ron Forster. Ron used to share many stories with me about Ted Chapman and used to speak glowingly of the mateship that they enjoyed. Of course, their friendship knew no boundary whatsoever. They had a great mateship that lasted for many years.

The member for Finnis made reference to Ted's exploits on the snooker table. I well remember that as well, because I know that he and dad shared many moments both in combat in those tournaments, which were pretty famous in those days, but also, if there was a spare moment, they would go up and play socially. I checked the board today, because I knew that he was a champion but I did not know the year. He was the runner-up in the snooker singles tournament in 1977 but also, as mentioned by the member for Finnis, Dean Brown and Ted Chapman were the snooker pairs champions in 1981. There was a fierce rivalry in those days. Many members of parliament—nearly all members of parliament—played to a very high skill level.

There has also been reference to Ted's being gored by a bull. What was not mentioned was that on his way into theatre Ted rang a well-known journalist of *The News* who is still a well-known journalist, now of *The Advertiser*, and told him about the serious injury and that he was on his way to theatre. The journalist said, 'Why in the hell are you ringing me now?' and he said, 'It would be a good story for *The News*. You'd better write about it.' That was before Ted became a minister, but perhaps once again it showed his political instinct. Ted Chapman did so many things in his life, whether it was as a shearer, punter, politician, minister, leader, character, raconteur—he did it all. We can all be very proud that Ted Chapman came from the shearing industry into this parliament and served his constituency so well and also that he represented South Australia as strongly as he did as a minister.

One thing that I will never forget about Ted Chapman has been touched upon. I hope the member for Bragg does not mind my saying this, but it complements what was said by the previous speaker. Ted said to me that Vickie would never come in here while he was still alive. I am very glad that she did, and so was Ted. When I saw him after Vickie came in here as the member for Bragg, he asked me in the most sincere and genuine way how she was going. I could see by the warmth in his eyes the respect and the love he had, and also, when we had a bit of a chat about what she was doing and how she was going as both the local member and also as a shadow minister, how proud he was—and he had every right to be so. I also pass on my condolences to the family and in particular to the member for Bragg.

**Mr VENNING (Schubert):** I, too, rise briefly to support this condolence motion and pay tribute to the late Ted Chapman. He was a farmer, a pastoralist, a shearer, an organiser, a fearless advocate for country people and rural industry generally and, above all, he was fearless and supportive of Kangaroo Islanders. As we know, he was a member of parliament and a minister of the Crown. Ted Chapman was a friend and a parliamentary colleague of my late father, Howard Venning, and then, of course, me. He always gave me good advice in relation to country members serving in parliament: save your energy; do not forget your family; do not forget where you have come from, lad, because that is where you are going back; country members' ministries are difficult; and, if you want a good job, get on the Public Works Committee, and if you are lucky enough you will be the chairman, as good a lurk as you would ever get. There was much more outrageous advice which I will not repeat but, generally, when you think about it, it was good advice. You have to look through this, and certainly he was a man of great experience. As I said, he always gave me good advice as he sat down the end of that corridor. When I first came in here his office was at the end of the long corridor. He sat there and if you came down the corridor you knew well that you would not get past the corner without him seeing you. If he needed to tell you something you were going to get told—so you went in there and took it like a man.

Certainly he was larger than life, and he was linked to my past when I came in here, because he was a very good minister of agriculture, and that is when I first met him. He came to all regions of the state and was very active. He did not mind saying what he needed to say at times, even though he got people very cross at some of his public meetings. I can remember one at Yacka one night when he told one of the long serving residents that they should never get a silo in Yacka, because it was not justified. Well, it was on for young and old. It was Mr Abbott who told Mr Chapman he was wrong. They did get their silo. I will never forget that, because my father happened to be the rep on the bulk handling board. Certainly, they were very interesting times.

Ted was fearless, and I think everybody respected that. I think one of the most important things that you did not note, and that I noticed at the funeral, was how much Ted was respected within the department of agriculture—very much so. He made everybody within the department feel important. I was talking to Jim McColl at the funeral. Jim was Ted's head of department back then, and he had very good words to say about Ted, not only from within the department here in Adelaide but also from many overseas trips. He was certainly very active and very strong in his support of that. The department was very strong and Ted involved himself in

all levels of his ministry, particularly the live sheep trade, as has been mentioned today. I will not go into that issue because we are in a backwater with respect to the live sheep trade.

I was personally involved, as a grower of aged wethers, and Ted certainly became involved, with the government of the day, particularly in the Middle East, and also with the grain trade in the Middle East, which is still very strong today. We would be lost without our trade to the Middle East. Many members who have been here long enough would remember the stoush we had with respect to wheat quotas back then. Ted was in the middle of all that. Those sorts of issues are very difficult for us to legislate, and Ted certainly gave very good advice to the parliament. People say, 'We haven't got enough farmers in parliament,' but when Ted was here we had more than one farmer in one person. We were forever fighting the federal government with respect to one issue or another. One that comes to mind is trying to hold the super subsidy which was then in place. Many of the older members will remember that we used to have a super subsidy, and we fought hard to keep it. We eventually lost it, but Ted was a very strong advocate in that respect.

I wish to express the condolences of my family, particularly my mother Shirley, and all country people generally, to the Chapman family. I also want to express the condolences of the Hon. Graham Gunn and the Gunn family, because Graham is unable to be with us today. He certainly would have had a lot to say at this moment about the late Ted Chapman. His memory would unfold as he remembered the past 35 years, many of those with Ted, not just in parliament but also outside parliament. He would have had a lot to say, and he regrets not being able to be here.

I wish to congratulate Ted's daughter Vickie, who is sitting here as the member for Bragg, on the excellent eulogy she gave for her father Ted on the day of his funeral. Not only were they wonderful words but also it takes great courage to do things such as that. The member for Bragg and also the member for Lee and I are privileged to be members of this house and to be present when the house has moved a motion of condolence for our respective fathers, and we thank the house for that. As strong as we try to be, it is moments such as this when the memories come flooding back.

I again pay tribute to the late Jack Wright. I note that the other day there was a celebration, or a mark of his passing. He was another big man in politics. It is amazing how similar Jack and Ted were: they were both big men in politics. I thought that Ted was much older than he was, because Ted Chapman certainly packed a lot into his life. I had assumed that he was well into his 80s or 90s, but he was not that old. Again, I express my condolences to the Chapman family and their friends. As we know, Ted will be missed but I doubt that he will ever be forgotten.

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** I rise in support of the motion—and also note that I follow an aged wether! The member for Bragg's father was a fine man, a larrikin and larger than life. He was always warm, open and willing to offer advice—as the Minister for Health said, even if one had not asked for it. He was also willing to tell a joke, sometimes in inappropriate circumstances. Certainly, Ted Chapman offered me advice about preselections (I might add that it was poor advice in that regard). He offered me advice about factions, gambling odds, farming and fishing. He also mentioned to me a fund called Catch Tim, but he never actually told me the details.

He offered me advice about his own commercial interests and, certainly, advice about his experience in Iraq and the Middle East. We continue to benefit from the respect he gained and earned for this state and for himself during those times. The Arabs learnt to love him.

Ted Chapman offered advice about his agricultural portfolio, and it was sound advice based on personal experience. He told me that everything was market driven and that a market was someone with money. He also told me that growing and hoping to sell was a waste of time. He gave that same advice to many agricultural pursuits in this state and, for that reason—and for many others—he is enormously well respected, particularly for the time during which he was minister for agriculture and fisheries. This state is the richer, his family is the richer and his island is the richer for the contribution that he made.

**The Hon. I.P. LEWIS (Hammond):** I, too, wish to join other honourable members in supporting this motion, but not recount the same incidents which they have referred to and which illustrate the greatness of Ted Chapman and his willingness as an individual to accept responsibility for whatever it was he chose to participate in, in his own way. When I think about him, there are a few things that I would remark upon. One is that I would like to have met his father and his mother, for I have much enjoyed knowing him and meeting his children, particularly the member for Bragg.

The first time I met Ted was when he came to a Mount Lofty Regional Development Association meeting shortly before he was elected to this place, and I was a member of the committee of that organisation. It was in early 1970, and it was clear to me then that he was a man with considerable presence who would take nonsense from nobody and suffer fools never, always then willing, from that time forward, to make plain what his agenda was. Whether that pleased the assembled company or not seemed to matter very little. He never talked about things he regarded as being irrelevant or things that did not contribute to good humour.

In this place, having seen him a few times between that first occasion and when I arrived here, he teased me as being one of the people whose maiden speech would probably be irrelevant because it had to wait until after Christmas of 1979 until February 1980, by which time, in his words, 'a good deal of water would have gone under the bridge'. During the course of that speech, I made remarks about some aspects of agriculture (for which he was the minister) and about fisheries which caused him amusement, but one caused him puzzlement sufficient to win from him a rebuke, and that was that I could not pronounce the word 'agriculture'. He said, 'What the hell is this aquaculture that you are talking about?' I had to explain to him that he did not understand how to spell it and that it was, indeed, about an industry that had no advocates but needed them because it was an industry that would deliver a great deal more to the prosperity of South Australians. It was about farming him below the waves, not on the dry land above. That caused him great mirth in the refreshment room, as we know it (not the bar, because that is the piece of brass at the entrance to the chamber, which he also pointed out to me). In any event, he came to understand that I was talking about farming fish—not just fin fish and pelagic fish but also crustaceans—and that we were well placed with our climate and the nature of our coastal waters to take advantage of it.

As other members have testified, his opinions were strongly held, although one could be forgiven for thinking

that he was stubborn and belligerent when, in fact, if alternative information was provided that enabled Ted to come to a different conclusion from the one he had held prior to that time, he was willing to adopt it, albeit in the first instance grudgingly. Nonetheless, to that extent, more so than many other people in this place, he had an open mind and a willingness to accept those new ideas, as he did as time went by. He was a man never happier than when he was contemplating fish and water and separating each from the other. I guess that is because he never understood why fish were so stupid as to take the bait, and he remarked upon it constantly—if they would not take one thing, they would take another. That is a lesson for life, I suppose. For someone like me, it certainly was.

There were occasions upon which I visited Kangaroo Island early in my parliamentary career. One of them was as part of a Commonwealth Parliamentary Association delegation, and Ted enjoyed himself as much as did I, but he lost the bet—I was prepared to go skinny dipping in the pool at American River, even though it was broad daylight.

In any case, I enjoyed Ted's company, his counsel and particularly the kind of challenges that he was prepared to lay down, the most daring of which was not to go skinny-dipping in the pool at American River but, more particularly, to wash his car. And I took that up. He admonished me by saying, 'Now you've removed the mud from under the bloody mud guards, they'll probably fall off!' He was not wrong. On the next trip into Kingscote from Gum Valley, the front left-hand fender certainly did come loose.

I had the temerity to ask him how long it was since he had changed the engine oil. He said, 'Why waste money doing that?' When I looked on the speedometer, I saw that it had already travelled more than 60 000 kilometres. It was clear to me then that, from the time the car was bought until the time it was retired, it did not need anything else except for fuel, as far as Ted was concerned. He said that the government did not spend sufficient money on roads on the island and it did not warrant spending any more money on his car until it did.

Finally, I would have to say that I enjoyed his company. I admired the man. I had as many differences with him as I had good times, I am sure—no different from anyone else in this place—and I counted him amongst my friends. I will miss him.

**The SPEAKER:** I strongly endorse the sentiments conveyed in the condolence motion and particularly extend sympathy to the Chapman family and, in particular, to the member for Bragg.

Motion carried by members standing in their places in silence.

[Sitting suspended from 3.33 to 3.43 p.m.]

#### MATTER OF PRIVILEGE

**Mr BRINDAL (Unley):** I rise on a matter of privilege. On Sunday 14 August, the *Sunday Mail's* Kevin Naughton wrote an article under the headline, 'Such to question Thai trips'. I believe that the article deliberately and maliciously misrepresents me and may well constitute a grave contempt towards every member of this parliament and consequently a breach of its privilege. On Friday 12 August, the member for Hammond visited the parliamentary offices of the Travel

Clerk. He was accompanied by Mr Kevin Naughton. The member for Hammond asked to see my previous travel reports.

I am informed that he was told that they were publicly available for viewing on this house's web site. Notwithstanding this, the member for Hammond continued to insist and was given access to the locked storage area in which the original documents are kept. Attached to one of my reports was a handwritten note on the letterhead of the then speaker. Similar notes were, I believe, at that time, attached to other reports within the same files but neither the member for Hammond nor Mr Naughton showed any interest in them.

Instead, the wrong and inappropriate ramblings of the member for Hammond's note formed the basis of an article which was used, I believe unfairly and inaccurately, as the basis for gaining a comment from you, sir, in the very same article. Correspondence between any member and the chair has always been considered in my 16 years a private matter. I therefore question the basis on which any such notes can or should be attached to the official report of any member and the legal status of such notes.

Further, paragraph 15, under the title 'Report', relating to the travel rules, clearly states:

... the nature of the report which shall be submitted to this house.

It further states:

If a Presiding Officer is not satisfied that the requirements of these rules have been met, no further entitlements may be expended for travel of any kind until a report is delivered and the Presiding Officer is so satisfied.

The member for Hammond, as the presiding officer, must have concurred that my reports met all legal requirements in that the files clearly showed their status and in that he allowed me subsequently to expend moneys on travel. To have done so, had he not been satisfied with the reports, would have been a serious abuse of his office as speaker. Yet, apparently, he either did not see fit to mention any of this to the *Sunday Mail* journalist or the *Sunday Mail* journalist failed to report it. The member for Hammond, I contend, deliberately withheld this information, and it is further supported by his quotes in the article which state:

I was always trying to convince members that they should supply extensive detail on where they were going, what they were going to do and why. He—

which I presume is me—

resented it and his lack of detail in applications was a problem.

That the whole truth was not indicated is supported by your statements in the same article and by your rapid correction on the subsequent Monday morning. In considering this matter—not as it affects me but as it potentially affects every past, present and future member of this house—I ask that you, Mr Speaker, consider also, (a) the climate, timing and introductory paragraphs of the article in question; (b) what could only be considered to be deliberate errors of facts in the report—the statement written in the *Sunday Mail* that 'the file is held in the parliamentary library' is clearly and patently incorrect; and (c) the basis of the newspaper's assertion that 'The *Sunday Mail* understands that the South Australia police will also be seeking access to the files'. Erskine May clearly states:

... any act of omission which instructs or impedes any member in the discharge of his duty or which has a tendency directly or indirectly to produce such results may be treated as a contempt even though there is no precedent for this.

**The SPEAKER:** The chair will consider the matters raised by the member for Unley and provide a thorough and prompt response.

### SMART ROAD-RESERVOIR ROAD ROUNDBOUT

A petition signed by 276 residents of South Australia, requesting the house to investigate all reasonable means of urgently improving the safety of the roundabout located adjacent to the Tea Tree Plaza and Modbury Public Hospital, particularly the installation of traffic lights, was presented by Ms Bedford.

Petition received.

### QUESTIONS ON NOTICE

**The SPEAKER:** I direct that the written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in Hansard: Nos 6, 88, 191, 263, 345, 374, 381 to 385, 390, 410 to 413, 424 to 428, 453 to 456, 478, 482, 484, 485, 487 to 498, 507 to 529, 531, 532, 534 and 551; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

#### NORTH TERRACE

6. **The Hon. I.F. EVANS:** How much has the North Terrace Redevelopment Project cost to date and what are the estimated completion costs?

**The Hon. J.D. LOMAX-SMITH:** The Minister for Urban Development and Planning has provided the following information:

Please refer to the response regarding the North Terrace Redevelopment Project printed in the Legislative Council Hansard on 23 May 2005 (page 1828).

#### EYRE PENINSULA WATER SUPPLY

88. **The Hon. D.C. KOTZ:** What is the current status of the Eyre Peninsula Water Supply upgrade and over what period will construction take place?

**The Hon. M.J. WRIGHT:** This question was asked in the Third Session of Parliament. As the answer was not tabled due to the prorogation of Parliament, I responded to the Member for Newland by letter on 17 September 2004.

Since that time the project has received further consideration and on 26 May 2005 the Government announced a \$48.5 million pipeline from Iron Knob to Kimba which is expected to be completed in early 2007.

#### CITY CENTRAL DEVELOPMENT

191. **Mr HAMILTON-SMITH:**

1. When will the 670 public servants relocate into the City Central Development, which departments will be relocated and from which rented premises will they relocate from, and how much more annual rent will be paid under the new arrangement?

2. How much profit is Caversham Pty Ltd City likely to make from redeveloping the City Central site and will the Government's \$33M commitment to the Developer underpinned this profit?

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

1. The Government has made a commitment to lease 10,000 square metres of office space in the first tower block of the City Central development. At an average of 15 square metres per person, approximately 670 public servants will be accommodated in the new development.

In information made available to the public when this decision was first announced, the Government stated that this could amount to a premium of \$70 per square metre or \$700,000 per annum, relative to prices paid for tenancies in other existing buildings. This is not a subsidy or a hand-out to the developer, it is a commercial transaction.

The premium reflects the difference between the market price in 2006 for new 'A-grade' accommodation meeting 5 star green

building and energy ratings, as proposed in the City Central development, compared with the projected rates per square metre in 2006 for tenancies in some of the existing 20-30 year-old building stock currently occupied by Government departments.

We expect the new office tower will be ready for occupation in the latter part of 2006. The Government is currently undertaking a process of identifying those agencies that have the best fit in terms of time and cost in tenancing the new space. Issues to be considered include the future accommodation needs of individual agencies, the condition of their existing accommodation, the need for and additional costs associated with a refit or refurbishment of their existing accommodation, and what savings or extra rent may be involved.

2. The Government's decision to enter into a commercial transaction with full transparency in its dealings with the developer was in order to secure this major private sector investment which has an estimated value of \$600 million.

This commitment is not tied to any specific returns or profits Caversham might have factored into the project. There is no handout, no tax relief, no gift or financial assistance package or grant given to anyone involved in the project.

Like any other prospective tenant in a commercial development, the Government has no direct interest nor is privy to Caversham's commercial in confidence financial arrangements to fund and construct the City Central development.

There are, however, other important provisions in the Government's agreement with Caversham.

One provision is that no other private sector tenant in the remaining 70 per cent of the first tower block can be charged any less than the charge per square metre to the Government. This effectively ensures the Government's lease costs are no greater than market rates for the standard of accommodation being provided.

The second is the requirement for the developer to provide bank guarantees for the project. The developer will forfeit these if other key parts of the project are not progressed within specified time frames.

The Government's lease commitment is a catalyst for a comprehensive revitalisation of a major city precinct that will inject jobs, boost private sector investment and confidence in the city, as well as provide positive reinforcement of Adelaide's 'green' credentials.

#### WEYLAMA PROPERTY

263. **Mr HAMILTON-SMITH:**

1. Is the property known as 'Weylama' and owned by Mr S. Moy for sale and is any part of this property contained within the Brownhill Creek Recreation Park area and if so, what are the details?

2. Is the Government negotiating to sell or exchange land with Mr Moy and if so, what is the current status of these negotiations?

3. What is the Government's intention for that part of the Weylama property contained within the Park area and will any revenue raised by its sale be spent on the Brownhill Creek Recreation Park?

**The Hon. J.D. HILL:**

1. I have been advised that an encroachment of infrastructure from the property known as 'Weylama' onto Brownhill Recreation Park was the subject of negotiations between the property's owner, Mr S. Moy, and the Department for Environment and Heritage (DEH). The encroachment included part of a tennis court, a gazebo and stables.

The encroachment occurred over an area of 1,760 square metres, or less than two-tenths of a hectare in the 51 hectare Park. The encroaching infrastructure was not built by Mr Moy but during occupation of the property by a previous owner.

It is my understanding that the 'Weylama' property was on the market and has since been sold by Mr Moy.

2. DEH negotiated with Mr Moy on the basis that the 1,760 square metres of land encroached on be transferred to his property for payment equal to the unimproved value of the land and for an equivalent area of land to be transferred from his property to the Park at no cost. The cost of all survey work was met by Mr Moy.

As a result of the land transfer negotiated by DEH, there was no net loss of land from the Park. The Park, incorporating the altered boundary, was proclaimed in the Government Gazette on 12 May 2005.

3. Funds received by the Government from such transactions would normally go to general revenue. Given the particular circumstances, the funds received were retained for environmental restoration works within the park.

### SPEED LIMITS

345. **Dr McFETRIDGE:**

1. How many requests have been made by Local Government to raise the 50kph speed limit back to 60kph and are requests still being made?

2. How many requests have been granted to raise the 50km/h speed limit to 60km/h and which representative body is liaising with the Department on behalf of Local Government to achieve these requests?

**The Hon. P.F. CONLON:** I provide the following information: There have been 61 requests by Local Government Authorities in South Australia to increase the speed limit on urban roads from 50 km/h to 60 km/h. The provision to review a speed limit has not changed and Councils can request a review at anytime.

Of the 61 requests to increase the speed limit to 60 km/h, 32 approvals were granted, 12 were withdrawn by the respective Council, and 2 are awaiting further information from Council to enable assessment. The remaining 15 requests were rejected, as there was little justification to warrant a speed limit higher than the general urban speed limit on these roads. As the local traffic and road authority, the local Council is the body liaising with the Transport Services Division regarding requests to review a speed limit.

### WATER SUPPLY, QUORN

374. **The Hon. G.M. GUNN:** When will SA Water improve the water infrastructure at Quorn so that new housing can access adequate supply?

**The Hon. M.J. WRIGHT:** The Quorn town water supply system is based on water extracted from bores, storage in the 4.5 megalitre Quorn balancing tank and distribution through the town water supply network.

There are vacant allotments in the township that have priority for water supply.

No significant development inquiry for supply within the township has been lodged with SA Water, which indicates limited demand to augment the system within the township. Accordingly, SA Water has no plans for any expansion of the existing distribution network.

It should be noted that expansion of the water supply might be limited by safe yields from the bore field and/or the quality of water (salinity level).

Development outside of the township boundary would require significant augmentation of the water distribution network, and the cost of this augmentation would have to be borne by developers in accordance with section 109B of the *Waterworks Act 1932*.

### POLLS

381. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. M.D. RANN:** I have been advised of the following: There have been no polls of the South Australian public conducted by, or on behalf of, the Premier or the Department over the past 12 months.

382. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. M.D. RANN:** I have been advised of the following: On the basis that polls are an analysis of public opinion on a subject, usually by selective sampling, I am advised that the Department of Trade and Economic Development conducted one poll in the last 12 months.

The Department commissioned Harrison Market Research in July 2004 to explore the opinions of expatriate South Australians and others living in Sydney or Melbourne about moving to Adelaide. The market research (telephone survey) involved 14 focus groups moderated by a Harrison's consultant in Sydney, Melbourne and Adelaide and a telephone survey in Sydney and Melbourne at a total cost of \$45,000.

The research focused on identifying and exploring drivers on what might encourage a move to South Australia rather than another state and test creative advertising and marketing material being considered. The findings were subsequently used to develop the *Adelaide. Make the Move* advertising campaign.

383. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. M.D. RANN:** I have been advised of the following: There have been no polls of the South Australian public conducted by, or on behalf of, the Minister for Social Inclusion or the Department over the past 12 months.

384. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. M.D. RANN:** I have been advised of the following: There have been no polls of the South Australian public conducted by, or on behalf of, the Minister for the Arts or the department over the past 12 months.

385. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. M.D. RANN:** I have been advised of the following: There have been no polls of the South Australian public conducted by, or on behalf of, the Minister for Volunteers or the Department over the past 12 months.

390. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. L. STEVENS:** The Minister for Emergency Services has provided the following information:

A poll is 'an analysis of **public opinion** on a subject usually by selective sampling. It can be distinguished from a questionnaire or other means of determining client satisfaction with a particular government service or services or questionnaires which are designed to determine whether a particular service or regulation is understood.

No polls of the South Australian public have been conducted by, or on behalf of, the Minister for Emergency Services or the Department over the 12 months preceding the question.

410-413. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

**The Hon. J.W. WEATHERILL:** A poll is an analysis of public opinion on a subject usually by selective sampling, it can be distinguished from a questionnaire or other means of determining client satisfaction with a particular government service or services or questionnaires which are designed to determine whether a particular service or regulation is understood.

Therefore according to the above definition no polls of the South Australian public undertaken by, or on behalf of, the Department of Families and Communities since its creation on 1 July 2004, nor from the areas of the former Department of Human Services that reported to me from 30 March 2004 to 30 June 2004 inclusive.

Furthermore no polls of the South Australian public in my term as Minister for Families and Communities, Minister for Housing, Minister for Ageing and Minister for Disability were undertaken.

### LUCAS, Hon. R.I.

424. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

**The Hon. M.D. RANN:** I have been advised by my office that the Premier has not yet received any written representations from the Hon. R.I. Lucas MLC, on behalf of South Australian constituents, since March 2002.

425. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

**The Hon. M.D. RANN:** I have been advised by my office that the Minister for Economic Development has not yet received any written representations from the Hon. R.I. Lucas MLC, on behalf of South Australian constituents, since March 2002.

426. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

**The Hon. M.D. RANN:** I have been advised by my office that the Minister for Social Inclusion has not yet received any written representations from the Hon. R.I. Lucas MLC, on behalf of South Australian constituents, since March 2002.

427. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

**The Hon. M.D. RANN:** I have been advised by my office that the Minister for Arts has not yet received any written representations from the Hon. R.I. Lucas MLC, on behalf of South Australian constituents, since March 2002.

428. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

**The Hon. M.D. RANN:** I have been advised by my office that the Minister for Volunteers has not yet received any written representations from the Hon. R.I. Lucas MLC, on behalf of South Australian constituents, since March 2002.

453-456. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

**The Hon. J.W. WEATHERILL:** On 1 July 2004 the former Department of Human Services split, to become the Department for Families and Communities, and the Department of Health. Information contained in this response relates to both the Department for Families and Communities and the component of the former Department that was connected to my portfolio responsibilities.

A search of the departmental records resulted in the identification of three items of correspondence received from Hon. R.I. Lucas MLC since March 2002 being of relevance to my portfolio. All were Freedom of Applications, none being on behalf of South Australian constituents.

Furthermore since my appointment as Minister for Families and Communities, Housing, Ageing and Disability my office records show that there have been no representations by the Hon. R.I. Lucas on behalf of South Australian constituents.

#### PORT AUGUSTA BRIDGE

478. **The Hon. G.M. GUNN:**

1. What Departmental plans are there to widen the Port Augusta bridge?

2. What Departmental plans are there to seal Yorkey's Crossing at Stirling North, near Port Augusta?

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

1. The Transport Services Division of the Department for Transport, Energy and Infrastructure, has no plans to widen the Port Augusta bridge as it currently provides a satisfactory level of service for traffic flow.

2. With regard to Yorkey's Crossing, part of the route is under the care, control and management of the City of Port Augusta, and part lies within the unincorporated areas of the State and is the responsibility of the Department for Transport, Energy and Infrastructure, through the Transport Services Division. The Transport Services Division is liaising with Council to investigate options to improve the route. The road provides an alternative when the Port Augusta Bridge is closed to traffic for other than very short periods. While sealing of the road may be the preferred treatment option, funds are not available and it is not currently on any forward works program.

#### MAGILL YOUTH TRAINING CENTRE

482. **Mrs HALL:**

1. In 2002-03 and 2003-04:

(a) how many clients were held at the Magill Youth Training Centre;

(b) what was the age of each client held at the Centre;

(c) how many clients were male and female, respectively; and

(d) how many were recidivists?

2. What are the same details for 2004-05?

**The Hon. J.W. WEATHERILL:** In 2002-03 there were 653 young people admitted to Magill Training Centre. The age break-

down was 1 ten year old, 12 eleven year olds, 29 twelve year olds, 30 thirteen year olds, 76 fourteen year olds, 115 fifteen year olds, 147 sixteen year olds, 143 seventeen year olds and 100 who were eighteen years of age or older. 118 were females and 535 were males. Of these 653 young people admitted to Magill Training Centre in 2002-03, 276 (42 per cent) had previously been admitted.

In 2003-04 there were 555 young people admitted to Magill Training Centre. The age breakdown was 3 ten year olds, 5 eleven year olds, 22 twelve year olds, 43 thirteen year olds, 58 fourteen year olds, 101 fifteen year olds, 119 sixteen year olds, 129 seventeen year olds and 75 who were eighteen years of age or older. 96 were females and 459 were males. Of the 555 young people admitted to Magill Training Centre in 2003-04, 262 (47 per cent) had previously been admitted.

From 1 July 2004 to 5 April 2005, there had been 412 young people admitted to Magill Training Centre. The age breakdown had been 2 ten year olds, 8 eleven year olds, 12 twelve year olds, 33 thirteen year olds, 50 fourteen year olds, 66 fifteen year olds, 97 sixteen year olds, 104 seventeen year olds and 40 who were eighteen years of age or older. 74 were females and 338 were males. Of the 412 young people admitted to Magill Training Centre between 1 July 2004 and 5 April 2005, 243 (59 per cent) had previously been admitted.

#### PHOTOVOLTAIC REBATE SCHEME

484. **Mr HANNA:** What communication between the State Government and the Federal Government has occurred regarding the Photovoltaic Rebate Scheme and in particular, the funding of the scheme which is expected to run out in June 2005?

**The Hon. P.F. CONLON:** I provide the following information: The Australian Greenhouse Office has informed the South Australian government that the Commonwealth Photovoltaic Rebate Program (PVRP) has been extended for a further two financial years, 2005-06 and 2006-07. The extension was announced in the 2005 Federal Budget and amounts to \$11.4 million nationally over 2 years. Prior to this extension the program had been scheduled to end as of June 2005.

Prior to this announcement, communication between the South Australian government and the Australian Greenhouse Office occurred regularly at officer level about administrative aspects of the program. This contact included passing on industry concerns about the cessation of the program and recommendations for the continuation of the program with a defined timeline to allow for industry planning and investment options.

#### RENEWABLE ENERGY

485. **Mr HANNA:** In relation to the South Australian Government's target for 15 per cent of total electricity consumption from renewable energy by 2014:

(a) what proportion of South Australia's energy is currently generated from renewable sources;

(b) is the Government on track in achieving this target; and

(c) will legislation be introduced to make this target mandatory in order to provide surety to potential investors in South Australian renewable energy projects?

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

a. It is estimated that as at 30 June 2005, approximately 3.2 per cent of South Australia's energy consumption was generated from renewable sources;

b. The recent rapid development of wind farms in South Australia means the State is progressing well towards achieving the 15 per cent target. It is estimated that by June 2006, approximately 13.2 per cent of electricity consumption will be generated from renewable sources. Additional renewable energy projects under consideration should enable achievement of the Target;

c. State based legislation to provide surety to potential investors in South Australian renewable energy projects is not considered necessary at this time.

#### PUBLIC SERVANTS, PERSONNEL RECORDS

487. **Mr HANNA:** Has the Minister or anyone acting on behalf of the Minister had recourse to access personnel records of public servants appearing before Parliamentary inquiries to obtain material for cross examination purposes?

**The Hon. M.J. ATKINSON:** To my knowledge and to the knowledge of Human Resources, Attorney-General's Department, neither I nor anyone acting on my behalf has requested access to per-

sonnel records of public servants appearing before Parliamentary inquiries to obtain material for improper purposes.

The Chief Executive of the Department or someone on his behalf would have accessed the records of the former C.E.O. Kate Lennon to confirm the last date she was employed as head of this portfolio for reply to questions I was asked in the House.

#### FUEL PRICES

489. **Mr HANNA:**

1. What plans does the Government have in place to address a potential rapid and sustained increase in the price of oil?

2. What plans are there to maintain fuel supplies to farmers and food distributors should a potential fuel price crisis cause a simultaneous financial crisis?

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

a. As you would be aware, the State Government is not involved in the determination of the wholesale or retail prices of transport fuels. The Federal Government deregulated petrol and diesel prices on 1 August 1998.

The wholesale price now fluctuates according to the world demand and supply of petrol and crude oil.

b. The possibility of a fuel price crisis resulting in a financial crisis in Australia is remote, and the need to address simultaneous crises is an unlikely event. Nonetheless, the State Government does monitor fuel supplies, particularly in the lead up to the annual harvest season.

Given the high cost associated with the Government maintaining fuel stockpiles the Federal Government's current policy is to not keep such stocks. The high level of Australia's self-sufficiency in liquid fuel also reduces the need for Commonwealth stockpiles. To operate effectively, industry also keeps stocks of crude and petroleum products throughout the supply chain. According to the Commonwealth Department of Industry, Tourism and Resources website, total stocks of petroleum products at the end of June 2005 amounted to 47 days consumption cover including:

- 24 days of crude oil;
- 30 days of LPG;
- 16 days of automotive gasoline;
- 22 days of aviation turbine fuel; and
- 12 days of automotive diesel oil.

In the event of a fuel shortage having national implications or the need for Australia to meet its obligations to the International Energy Agency (IEA), emergency powers exist under the *Liquid Fuel Emergency Act 1984 (Commonwealth)*.

#### COUNTRY FIRE SERVICE

498. **Mrs PENFOLD:** How has the water bombing capacity of the State's Country Fire Service changed since 2000?

**The Hon. L. STEVENS:** The Minister for Emergency Services has provided the following information:

The SA Country Fire Service (CFS) had a total of three water bombing aircraft contracted for the 2000-01 Fire Danger Season. Two Air Tractor 802 (3,100 litre capacity) were allocated to the Mount Lofty Ranges and one Air Tractor 502 (1,900 litre capacity) was allocated to the South East. The total operating capacity for the season was 8,100 litres.

The CFS had a total of six water bombing aircraft contracted for the 2004-05 Fire Danger Season. This included five air Tractor fixed-winged water bombers with a total capacity of 12,450 litres and one helicopter water bomber with a capacity of 2,700 litres. The water bombing helicopter was contracted as part of the National Aerial Firefighting strategy. The total capacity of fire service contracted aircraft was 15,150 litres.

This represents a three aircraft and 7,050 litre water bombing capacity increase.

In addition to the above resources, the CFS has an agreement for the use of Victorian aerial firefighting aircraft, and through the National Aerial Firefighting strategy can access national resources under that agreement. Local arrangements are in place in a number of areas of the State for access to a range of fixed-wing aircraft for aerial observation.

In the budget announcement for 2005-06, the Government committed \$2.4 million in extra funding over four years to increase the aerial firefighting capacity of the CFS—especially in the State's South East and West Coast regions.

The 2005 State Budget includes allocations of \$370,000 in 2005-06, \$670,000 in 2006-07, \$687,000 in 2007-08 and \$704,000 in 2008-09 for increased aerial firefighting capacity.

The extra funding will provide the CFS with an ability to engage additional aircraft as required for Statewide firebombing operations. These additional aircraft will integrate with the existing firebombing fleet and the National Aerial Firefighting Centre fleet aircraft.

#### CROWN SOLICITOR'S TRUST ACCOUNT

507. **Mr HAMILTON-SMITH:** When will a copy of the evidence given under oath or statutory declaration by the Minister's Chief of Staff, Mr Andrew Lamb in relation to the Crown Solicitors Trust Account be tabled in Parliament?

**The Hon. M.J. ATKINSON:** A copy of the Statutory Declaration of the former Chief of Staff to the Attorney-General, Andrew Lamb, was given to the Economic and Finance Committee on 29 June, 2005.

#### CONSUMER AND BUSINESS AFFAIRS, OFFICE OF

527. **Dr McFETRIDGE:** What assistance is the Office of Consumer and Business Affairs providing to tenants who wish to change from outdated moiety titles to strata or community titles?

**The Hon. K.A. MAYWALD:** I have received this advice:

The Office of Consumer and Business Affairs does not commonly provide advice or information about community or strata titles, and does not provide assistance to change the type of title by which land or an interest in land is held. These are matters that fall within the responsibility of the Land Services Group, which forms part of the Department of Administrative and Information Services. The Office of Consumer and Business Affairs commonly refers inquiries about these matters to the Land Services Group.

#### REAL ESTATE INDUSTRY

528. **Dr McFETRIDGE:** How much has been budgeted to implement reforms to the real estate industry and reforms to crowd control in licensed venues, respectively, in 2005-06?

**The Hon. K.A. MAYWALD:** I have received this advice:

No additional funds have been budgeted to implement reforms to the real estate industry in 2005-06. It is intended that the reforms will be implemented using existing resources within the Office of Consumer and Business Affairs.

Reforms of crowd control in licensed premises has resulted in amendments to the *Liquor Licensing Act 1997*, the *Gaming Machines Act 1992* and the *Security and Investigation Agents Act 1995*. As Minister for Consumer Affairs, I am responsible only for the *Liquor Licensing Act 1997*. No additional funds were sought or provided in the Office of the Liquor and Gambling Commissioner to implement reforms to crowd control in licensed premises for 2005-06.

#### CONSUMER AND BUSINESS AFFAIRS, OFFICE OF

529. **Dr McFETRIDGE:** Why is the target for the number of Office of Consumer and Business Affairs warnings to be issued in 2005-06 only 100, when in previous years it exceeded 2,500?

**The Hon. K.A. MAYWALD:** I refer the member to the Justice Portfolio Statements and, in particular, sub-program 2.4 Legal Enforcement and Policy, for the Office of Consumer and Business Affairs.

The 2004-05 target for warning letters issued by the Legal Enforcement and Policy branch of the Office of Consumer and Business Affairs was 2,500. This target was achieved.

Footnote (a) of sub-program 2.4 notes that performance indicators in relation to the Registration Unit will be incorporated into sub-program 2.3 Business and Occupational Services, in the future.

The 2005-06 target for warning letters issued under sub-program 2.3 Business and Occupational Services, is 2,700.

The 2005-06 target for warning letters issued under sub-program 2.4 Legal Enforcement and Policy, is 100.

The 2005-06 target for warning letters issued under sub-program 2.4 Consumer Affairs, is 700.

The overall target for warning letters issued by the Office of Consumer and Business Affairs is 3,500.

531. **Dr McFETRIDGE:** With respect to the 2005-06 Budget Papers:

1. Why was Sub-program 2.4: Legal Enforcement and Policy under the Consumer and Business Affairs portfolio re-named from Corporate Affairs and Compliance?

2. Why did the net cost of the Sub-program 2.1: Residential Tenancies increase from a \$28,000 surplus in 2004-05 to a \$274,000 deficit in 2005-06?

3. Why is depreciation and amortisation expenditure in 2005-06 significantly less than in 2004-05?

**The Hon. K.A. MAYWALD:** I have received this advice:

1. Sub-program 2.4 received a name change during the 2004-05 financial year. The Corporate Affairs and Compliance Branch has now merged with the Policy and Legal Unit (not previously measured) and is titled Legal Enforcement and Policy.

2. Sub-program 2.1: Residential Tenancies is a self-funded Business Unit of the Attorney General's Department. Recent operational improvements have led to a decrease in the estimated recovery of expenses from the Residential Tenancies Fund (RTF), therefore decreasing the Funds revenue in 2005-06. This decrease in 2005-06 is largely due to once-off capital purchases which were recovered from the RTF in 2004-05. The removal of such capital outlays in 2005-06 has reduced the Sub-program's revenue projections and resulted in a deficit due to expenditure remaining the same.

3. The reduction of \$231,000 between the 2004-05 budget and the 2005-06 budget for depreciation is largely due to an overall decrease in the expected level of depreciable assets relating to OCBA.

532. **Dr McFETRIDGE:** Have qualified staff been employed by the Office of Consumer Affairs to perform the targeted amount of compliance audits in 2005-06 and if not, when will this occur?

**The Hon. K.A. MAYWALD:** I have received this advice:

Suitable staff have been employed by the Office of Consumer and Business Affairs to perform the targeted amount of compliance audits in 2005-06.

#### OCCUPATIONAL LICENCE RENEWALS

533. **Dr McFETRIDGE:** How much additional revenue has been raised by the increase in the number of occupational licence renewals over the last two financial years?

**The Hon. K.A. MAYWALD:** I have received this advice:

Revenue received from Occupational Licensing has increased by \$800,000. The revenue received is from application and renewal fees, along with other sundry licensing charges.

It is not practical to break down the amount of revenue increase attributable solely to the increase in the number of occupational licence renewals processed, as the level of fees varies for renewals depending on category of licence held and which jurisdiction it relates to.

The revenue has increased over the period due a number of factors, which include:

- The annual CPI increase to fees;
- Number of penalties issued; and
- Changes in the number of renewals and applications processed.

#### RESIDENTIAL TENANCIES PROGRAM

534. **Dr McFETRIDGE:** Did the Residential Tenancies Program meet all its targets in 2004-05 and if not, what targets were not met and what action has been taken to address this?

**The Hon. K.A. MAYWALD:** I have received this advice:

The following figures show where the Residential Tenancies program did not meet targets in 2004-05:

1. Number of telephone calls abandoned  
(04/05 target = 1,700; actual = 4,131)
2. Average time taken for staff to answer a phone call (seconds)  
(04/05 target = 25 or less; actual = 27.9)
3. Per cent of tenancy bond lodgement and refund applications processed within 3 working days of receipt  
(04/05 target = 99 per cent; actual = 78 per cent)

The Tenancies Branch attributes this to there being a number of vacancies in a number of positions and is in the process of recruiting to bring staff numbers up to the approved level.

#### SCHOOLS, SOLAR POWER

551. **Mrs PENFOLD:**

1. What is the expected final cost for the conversion of all schools to solar power and what has been the 2004-05 cost for the first 10 per cent of schools to be retrofitted?

2. Was a cost benefit analysis undertaken and if so, what were the cost benefit ratios and how long will it take before there is an expected return?

3. What were the full installation and capital costs, including the piping required to use the water collected, for the rainwater tanks provided to schools in 2004-05?

4. Was a cost benefit analysis undertaken, including the maintenance over the period of the expected life of the tanks, and if so, what is the predicted cost per kilolitre compared with the SA Water cost of \$1.07 per kilolitre and what were the cost benefit ratios and how long will it take before there is an expected return?

**The Hon. J.D. LOMAX-SMITH:** The SA Solar Schools Program, announced in March 2003, is designed to supplement the energy supply in schools and preschools with alternative, sustainable energy, rather than to "convert" them to solar power.

The cost for installing solar panels in the first 25 sites is \$0.563 million.

The SA Solar Schools Program will assist in reducing green house gas emissions and may reduce school's energy bills but that is not the sole focus of the Program. A curriculum program has been developed to complement the installation of the solar panels, to help South Australian children develop ecologically sustainable development values and to teach them about alternative energy sources.

Solar panels have already made a difference to many schools and preschools across South Australia.

There is not currently a specific program to install rainwater tanks in schools and preschools.

The State Government provides schools with a chance to apply for funding for projects through the Ecologically Sustainable Development Grants Program. Many schools and preschools across the State have used the funding provided under these grants to purchase and install rainwater tanks.

#### APY LANDS

In reply to **Hon. D.C. KOTZ** (June 2005).

**The Hon. L. STEVENS:** The provision of community based renal dialysis in remote communities such as the Anangu Pitjantjatjara lands (AP Lands) is a complex matter and there is no simple answer to the question.

Renal dialysis requires a number of conditions; a supply of reasonable quality water, a reliable electricity supply and carer/s who can supervise the actual dialysis. The carers require training which at this time is provided in Adelaide. Patients are assessed in a tertiary hospital regarding their suitability for dialysis. The changing acuity and complexity of the patients can mean that even if assessed as suitable for community dialysis it can be difficult to plan community based dialysis services into the future.

The Department of Health has been progressively introducing community based dialysis in country settings and they are now provided at Ceduna, Pt Lincoln, Pt Augusta, Clare, Berri, Murray Bridge and Mt Gambier. Early planning is occurring for Coober Pedy.

Nganampa Health, which has the main responsibility for the provision of health services on the APY Lands, has focused their attention on services to prevent kidney disease. They have supported this approach through a variety of programs, from antenatal care to adulthood, which will reduce the incidence of end stage renal disease.

Nationally, Health Ministers have initiated a project called "Improving Indigenous Health: Remote Area Renal Services". A national subcommittee is to report to health ministers by the end of 2005.

The Department of Health is having discussions with Northern Territory Health to examine how they provide dialysis services to a small remote community at Kintore. This has been described as a model that is community supported and driven and appears from early discussions to have significant private sector support. It is too early yet to know whether this model could be applied to the APY lands communities.

Serious consideration is being given to how improved renal services can be provided to people from the APY Lands. It is more complex than simply providing a dialysis machine, however, work is continuing on assessing what can realistically be done.



### HOSPITALS, QUEEN ELIZABETH

In reply to **Hon. DEAN BROWN** (June 2005).

**The Hon. L. STEVENS:** The delays of the installation of the new electro physiological equipment (EP) at The Queen Elizabeth Hospital were a result of three issues that were not addressed in the process leading up to the original installation proposal.

Those issues were:

- Consistency between the opportunities created by the equipment to expand and introduce new services at The Queen Elizabeth Hospital and the Regional Plan for Clinical Services, including clinical networks;
- Funding for the budgetary impact of new and increased services; and
- Government procurement processes and the objective to ensure the probity of all acquisition processes.

To have proceeded with the installation without any consideration of these issues would have compromised the Government's commitment to sound prudential management.

Subsequently, clinical workloads have been assessed, budgetary impacts confirmed and a procurement path developed consistent with the competitive tendering principles of this Government.

The installation of the equipment has now been approved and is proceeding in a manner consistent with the procurement guidelines and objectives of this Government.

### UNDERSPENDING

In reply to **Hon. R.G. KERIN** (Estimates Committee A, 18 June 2004 and 23 May 2005).

**The Hon. K.O. FOLEY:** For the Attorney-General, the enclosed table lists the 2002-03 carryover requests submitted and those that were not approved for carryover. It should be noted that government agencies are not required to seek Cabinet approval to carryover all underspending. This means that there is some underspending that is not considered by Cabinet for possible carryover.

There is not, in all cases, a one to one relationship between Ministers responsibilities and the scope of agency activities. The agency data may therefore only reflect that part of the agency that reports to the Minister.

Minister	Agency	Total carryovers requested from 2002-03 Total \$000 <sup>(1)</sup>	Unapproved carryovers from 2002-03 Total \$000 <sup>(2)</sup>
Attorney-General, Minister for Justice	Attorney-General's Department	4,315	1,182
Minister for Consumer Affairs	Administered Items for the Attorney-General's Department	19,071	4,954
Minister for Multicultural Affairs	Courts Administration Authority	1,000	500

<sup>(1)</sup> Represents the impact of underspending in 2002-03 that was sought as carryover

<sup>(2)</sup> Represents the impact of underspending in 2002-03 that was not approved for carryover. Positive numbers represent a reduction of expenditures in 2002-03

### ROADS, PORT WAKEFIELD TO KULPARA

In reply to **Mr MEIER** (26 May).

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

At the beginning of this financial year there were two future improvements planned for this road, viz extension of an overtaking lane and reconstruction of 5.8 km of the road.

The overtaking lane works, originally planned for 2005-06, were brought forward and have been completed.

It is expected that reconstruction of the 5.8km section of this road will be completed in early 2006. Works are scheduled to commence after winter.

### PORT RIVER, BRIDGES

In reply to **Hon. R.G. KERIN** (7 March).

**The Hon. P.F. CONLON:** On 3 April 2005, the Rann Government announced that the two new Port River bridges will be un-tolled, opening bridges.

In recognition of the size and nature of the Port River bridges project, the Government has agreed to reimburse each unsuccessful shortlisted tenderer to the amount of \$150,000.

This is common practice in large complex tendering processes of this kind.

This reimbursement was detailed in the tender documentation provided to the three shortlisted tenderers.

The tender evaluation process for the bridges is in its final stages. The successful tenderer is expected to be announced in June 2005, with both bridges fully operational by mid 2007.

### HAMILTON STATION TO DALHOUSIE SPRINGS ROAD

In reply to **Hon. G.M. GUNN** (26 May).

**The Hon. P.F. CONLON:** I am informed that the tourist road to Dalhousie Springs from Hamilton Station begins by running from Hamilton Station to Blood Creek Bore via Eringa Homestead Ruins (Oodnadatta Track) and comes under the responsibility of the Department for Transport, Energy and Infrastructure, through its Transport Services Division. This road is approximately 113km in length, unformed and is graded twice a year and more often when required. The condition of this road is more than adequate for its purpose and no additional funds have been allocated to upgrade the road.

I am further advised that the remainder of the road from Blood Creek Bore to Dalhousie Springs in the Witjira National Park, is a four-wheel drive track approximately 53 km in length and comes under the care, control and management of the Department for Environment and Heritage (DEH).

### ELECTRICITY, DISCONNECTIONS

In reply to **Hon. W.A. MATTHEW** (24 November 2004).

**The Hon. P.F. CONLON:** The Government is committed to addressing the issue of electricity disconnections and providing assistance to those members of our community experiencing difficulty in paying their electricity bills.

Numerous initiatives have been implemented by this Government to provide relief to those most in need; they include the 70 per cent increase in the energy concession, the offering of a rebate for eligible consumers who transfer to cheaper market contracts and the establishment of the energy audit program.

Additional assistance has been provided and will continue to be provided by my office and other Government agencies when made aware of individuals' circumstances. Indeed, following media reports, I wrote to the various welfare agencies seeking details of people whom they believed require urgent assistance to meet their electricity bills.

While this is designed to provide immediate assistance, I am conscious of the need to address this matter in the long term. For this reason, I am supportive of ESCOSA's decision to undertake a comprehensive review of this issue.

Further relief will be provided in 2006 following the end of the Liberal Party's "sweetheart" deal on the return allowed to ETSA Utilities. The review of ETSA's charges has resulted in a substantial drop in the WACC given to ETSA and residential consumers will pay \$40 to \$60 less for power as of 1 July 2005.

With respect to the number of disconnections reported by ESCOSA in its Annual Performance Review, it also reported that the increase in disconnections in 2003-04 was an unreliable figure following AGL's adoption of a new billing system in 2002-03, which constrained the reported level of disconnections in that year. Consequently, the increased disconnection activity in the 2003-04 period included a "catch up" of disconnections which occurred in 2002-03.

It is worth noting that during the term of the previous government 23,709 premises were disconnected during 1996-97 with another 13,458 in 1997-98.

### LOCHIEL PARK

In reply to **Mr SCALZI** (10 February).

**The Hon. P.F. CONLON:** The Rann Government has worked hard to ensure the open space of Lochiel Park is maintained, by reversing a former Liberal Government decision to develop the entire site. The Government knows how much the surrounding community values Lochiel Park.

The Land Management Corporation (LMC) is currently preparing a master plan for the development of 4ha of the Lochiel Park site. It is expected the master plan will be completed in the coming months.

The residential development will be a 'green village' incorporating a range of innovative ecologically sustainable development initiatives. In addition, the open space area will incorporate an urban forest as part of the One Million Trees project. The project will act as a model to demonstrate a range of achievable environmental outcomes for residential development in Adelaide.

With regard to public housing, while it is usual practice for LMC to offer up to 15% of allotments for purchase to the South Australian Housing Trust for special needs and affordable housing, it is unlikely public housing will be pursued at this site.

With regard to the problems of vandalism and rubbish dumping at the site, LMC attends to these issues with a regular and ongoing property maintenance program including building security, rubbish clearance and grass slashing. Once development is underway it is expected these problems will diminish considerably.

### ORIGIN ENERGY

In reply to **Hon. W.A. MATTHEW** (7 March).

**The Hon. P.F. CONLON:** I provide the following information: I was alerted to supply issues orally on 3 or 4 February 2005 by a member of staff and met with Origin Energy's Tony Wood on 8 February.

### PORT RIVER, BRIDGES

In reply to **Hon. R.G. KERIN** (2 March).

**The Hon. P.F. CONLON:** The International Maritime Organisation introduced a globally consistent approach to maritime security through amendments to the Safety of Life at Sea Convention (SOLAS), to which Australia is a signatory, and International Ship and Port Facility Security Code (the Code) following the events of September 11, 2001.

Security plans had to be presented and approved by the Commonwealth Department of Transport and Regional Services (DOTARS) prior to the internationally agreed date of operation of 1 July 2004.

I confirm that all South Australian ports, including port Adelaide had their security plans approved by DOTARS prior to 1 July 2004. Port security plans are classified documents, which are not released publicly by the Australian government.

Section 9 of the *Maritime Transport Security Act* excludes the Australian Defence Force from the need to comply with the requirements of the Act, namely:

Act not to apply to state ships etc.

(1) Unless the contrary intention appears, this Act does not apply to, or in relation to:

(a) a warship or other ship operated for naval, military, customs or law enforcement purposes by Australia or by a foreign state; or

(b) a ship (other than a ship covered by paragraph (a)) that is:  
(i) owned, leased or chartered by, or otherwise in the operational control of, the Commonwealth, a State or a Territory; and

(ii) being used wholly for non-commercial activities; or  
(c) a security regulated port, or part of a port, at any time that the port, or the part of the port, is under the exclusive control of the Australian Defence Force.

(2) A reference in this Act to a maritime industry participant does not include a reference to:

(a) the Australian Defence Force; or

(b) the Australian Customs Service; or

(c) an Agency of the Commonwealth prescribed in the regulations.

The Association of Australian Port and Maritime authorities, representing the ports of Australia (including Port Adelaide), have developed in conjunction with the Australian Defence Force, guiding principles for defence access to, and use of, Australian ports.

In reply to: **The HON R.G. KERIN** (3 March).

**The Hon. P.F. CONLON:** On 3 April 2005, the Rann Government announced that the two new Port River bridges will be un-tolled, opening bridges.

The Government has received approximately 100 representations within the last two years from local Port Adelaide residents in support of opening bridges. A small number of representations have also been received from individuals who do not reside in Port Adelaide.

Local developer Urban Construct, the City of Port Adelaide Enfield and the Federal member for Port Adelaide have also made representations to the Government in support of opening bridges.

The Government has delivered on its promise to build opening bridges.

In reply to **Hon. R.G. KERIN** (17 February).

**The Hon. P.F. CONLON:** On 3 April 2005, the State Labor Government announced that the two new Port River bridges will be un-tolled, opening bridges.

The State Government is delivering on its promise for opening bridges.

### APY LANDS

In reply to **Mr HANNA** (1 June).

**The Hon. M.D. RANN:** I have been advised of the following:

Each of the major communities in the APY Lands (Indulkana, Mimili, Pukatja, Kalka, Pipalyatjara, Fregon and Amata) has been provided with funding to employ a community youth worker, plus an additional \$20,140 per annum in program funding. This funding is to purchase equipment, upgrade facilities and transport youth as determined by the community. At any time it is likely that vacancies will exist in some of these community positions. I was unaware of any vacancies at the time of my statement but given the high level of turnover I am happy to accept that, as is inherent in these types of programs, two of the communities had positions available for Anangu employment at that time.

Each current worker has been provided with training and a professional development program provided by Relationships Australia in Certificate III in Youth Work. Ongoing mentoring and support is provided by Relationships Australia to the Community employed youth workers as part of the government funded program. This program of support is fundamental to the Youth Program and will continue.

The government is further improving support to this program. A senior public servant has been appointed as the Manager Youth and Substance Misuse Programs to provide additional support to the communities and their youth workers. Recruitment is underway for two new positions of coordinators for the Youth and Substance Misuse program who will also be based on the APY Lands and will be public servants. They will work closely with the communities' youth workers, providing them with on the job training support and mentoring.

In reply to **Mr HANNA** (30 May).

**The Hon. M.D. RANN:** I have been advised that a check of my diary records shows that I have formally met with Prof. Lowitja O'Donoghue on 22 November 2004 and 23 March 2005, and since the question was asked on 7 June 2005.

### PAYROLL TAX

In reply to **Mr SCALZI** (7 April).

**The Hon. M.D. RANN:** I have been advised of the following:

Section 12 of the South Australian *Pay-roll Tax Act 1971* ("the Act") contains an exemption for public benevolent institutions. The Act does not however provide an exemption specifically for charitable or not-for-profit organisations.

There is no question that Greening Australia, RSPCA and the Animal Welfare League are charitable organisations. However, this is not sufficient to be exempt from pay-roll tax as the organisations need to meet the requirements of being public benevolent institutions and not merely charitable ones.

For the purposes of the Act, "benevolence" is a much stricter test than "charitable".

The government has provided very significant exemptions from pay-roll tax including for religious and public benevolent institutions, and public hospitals. In addition, there is a general deduction for the

first \$504,000 of taxable wages and the pay-roll tax rate has been reduced from 5.67 per cent to 5.5 per cent since the 2004-05 Budget.

By 2010-11, my government will have delivered an ongoing \$1.5 billion cut in taxes.

#### ASHBOURNE, CLARKE AND ATKINSON INQUIRY

In reply to **Ms CHAPMAN** (5 July).

**The Hon. M.D. RANN:** I have been advised of the following:

It is the matter of public record that the telephone call referred to in the Hon Member's question was initiated by Mr Heffernan not Mr Alexandrides.

The explanation provided by Mr Alexandrides is also a matter of public record.

#### AUDITOR-GENERAL'S REPORT—USE OF CREDIT CARDS

In reply to **Hon. W.A. MATTHEW** (25 October).

**The Hon. L. STEVENS:** The Minister for Emergency Services has provided the following information:

ESAU/SAFECOM Finance Policy No 7. "Purchase Cards", requires that cardholders ensure that the credit card statement or receipts show the account classification for debiting purposes. The Minister has been advised that an Audit review of credit card statements revealed some instances where details of appropriate cost codes had not been provided. In these instances, the SAFECOM Manager Finance makes a determination as to the appropriate code.

While Audit identified instances where this had occurred, this was understood to be not so significant as to materially impact upon the classification of expenditure for financial and management reporting purposes, and this is evidenced by the unqualified report of the auditor with respect to the financial statements. Indeed, South Australian Metropolitan Fire Service (SAMFS) management understood from discussions with Audit that the incidence of such errors, while noteworthy, was not exceedingly high in number.

SAMFS has implemented procedures since the audit that will provide an independent check on classification and authorisation of expenditures prior to submitting the credit card statements to the SAFECOM Manager Finance. The Minister has been informed that if any inquiries had been referred back to the SAMFS by the SAFECOM Manager Finance in relation to the accounts, these would have been advised at the relevant time.

The number of credit cards on issue at 30 June 2004 was 64, however, the current number of credit cards on issue (at 30 May 2005) is 63.

For the year ended 30 June 2004 a total of \$220,762 was debited to SAMFS credit cards.

#### HOSPITALS, LYELL McEWIN

In reply to **Hon. DEAN BROWN** (24 May).

**The Hon. L. STEVENS:** As no personal identifying information was provided in the question, it is difficult to be certain of the particular patient concerned.

However, investigation has revealed that a 64 year old patient attended the Lyell McEwin Health Service Emergency Department on 20 May 2005 accompanied by her daughter with whom she lives. The patient was reported to be normally independent. The patient had received a knee replacement two years previously and had also undergone a minor procedure to the same knee two weeks before her presentation on 20 May 2005 with pain, redness and swelling to her knee.

The patient was examined by a medical officer who discussed the case with the duty orthopaedic registrar at The Queen Elizabeth Hospital. As the patient had no signs of deep vein thrombosis, a possible cause of her presenting symptoms, and was accompanied by her daughter, the orthopaedic registrar advised that the patient should be discharged from the Emergency Department and to attend The Queen Elizabeth Hospital at 9am that morning for further assessment.

The Lyell McEwin Health Service reports that the patient and her daughter were satisfied with the arrangements for her to be discharged from the Emergency Department and to attend an outpatient appointment at The Queen Elizabeth Hospital in the morning. Both the patient and her daughter gave no indication that they were unhappy with this arrangement.

The Lyell McEwin Health Service does not have 24-hour on-site orthopaedic registrar support. Cases requiring consultation with an orthopaedic registrar are referred to The Queen Elizabeth Hospital.

Patients presenting to the Lyell McEwin Health Service Emergency Department with a suspected orthopaedic-related condition are provided an initial assessment and treatment with follow-up consultation with the orthopaedic registrar. If admission to hospital is not clinically indicated, an appointment is made for the patient to present for specialist consultation at the next available time.

In these circumstances, and in the event that a patient has a carer with them or is able to manage independently, the patient is requested to return home for the period of time until the scheduled consultation with the orthopaedic specialist can occur.

#### REVENUE SA

In reply to **Mr BROKENSHIRE** (9 December 2004).

**The Hon. K.O. FOLEY:** The Emergency Services Levy ("ESL") raises accounts for over 540,000 owners of property in South Australia. For the initial assessment of the ESL in the 1999-2000 financial year, RevenueSA sourced addresses from the Lands Titles Office and identified a particular address as the mailing address to be used in relation to matters concerning the property owned by Mrs Foley. RevenueSA therefore used this mailing address to issue notices. Many property owners do not necessarily live at the property subject to assessment and in many cases multiple properties are owned. Unless a notice is returned unclaimed, RevenueSA can only assume the mailing address has resulted in the delivery of the notice to the owners of the property.

I am advised that in Mrs Foley's case, none of the notices or final notices issued for the 1999-2000, 2000-01, 2001-02, 2002-03, 2003-04 and 2004-05 financial years were returned unclaimed, providing no indication that the postal address was in fact incorrect.

Mrs Foley raises the concern that many elderly persons may have similarly been subjected to recovery processes that relied on old addresses. Unfortunately, unless a notice is returned unclaimed, it has to be assumed it has been received by the owner. In many cases persons choose to ignore notices until recovery action is instigated.

RevenueSA has contacted Mrs Foley and forwarded a letter dated 23 November 2004, advising that a Notice of Discontinuance of the summons has been processed. The Notice of Discontinuance has been forwarded to Credit Reference Association of Australia advising that the matter is now closed and requesting that they remove all details of the summons from their records. Therefore, Mrs Foley's credit rating will not be affected.

RevenueSA has also apologised to Mrs Foley for the inconvenience caused.

#### LAND TAX

In reply to **Mr BRINDAL** (28 February).

**The Hon. K.O. FOLEY:** Sections 25 and 30 of the *Taxation Administration Act 1996* ("the TAA") provides that a taxpayer is liable to pay interest and penalty tax in respect of tax defaults. The interest component is assessed on the amount of tax unpaid calculated on a daily basis from the end of the last day for payment until the day it is paid.

The TAA was assented to on 5 December 1996. For land tax purposes the interest and penalty tax provisions of the TAA commenced for the 1998-99 financial year. The TAA is committed to the Treasurer, however, the Commissioner of State Taxation has the general administration of the TAA. Therefore, the Premier does not manage or control the procedures by which RevenueSA collects interest on unpaid accounts as the procedures are determined by the legislation.

Interest and penalty tax is applied as a means of encouraging taxpayers to meet their obligations on time, to offset the opportunity cost to the Government of not having the use of the principal tax sum for the period that it remains unpaid, and to provide equity to all taxpayers, by ensuring that those taxpayers who do not pay their tax on time do not receive an unfair advantage over those who do.

For the 2004-05 financial year land tax could be paid in four instalments over a consecutive four-month period.

RevenueSA issued a flyer with each Land Tax Notice of Assessment to advise that interest and penalty tax would not apply to the new instalment payment option, unless a default occurred. A default in the payment of any of the four instalments (i.e. payment not made by the due date, part payment only of the full instalment amount due)

would result in the full balance outstanding becoming immediately due and payable.

In the case described by the Member for Unley, I am advised that the taxpayer's original account was for \$8,027.75, the four monthly instalment payments were due on 22 November 2004 (\$2,009.75 due), 22 December 2004 (\$2,006), 24 January 2005 (\$2,006) and 22 February 2005 (\$2,006).

The taxpayer paid the first instalment of \$2,009.75 on 19 November 2004. On 20 January 2005, RevenueSA issued a Further Assessment with interest and penalty tax as the second instalment, which was due on 22 December 2004, had not been paid. RevenueSA did not issue the Further Assessment until approximately one month after the taxpayer had defaulted on the payment of the second instalment.

The interest and penalty tax were calculated on the outstanding balance of \$6,018, i.e. the original land tax of \$8,027.75 less the payment of \$2,009.75. The interest calculated on \$6,018 was \$127.53, and the 25 per cent penalty tax amounted to \$1,504.50.

The Member for Unley states that given that the instalment scheme was not in place under the previous Government, the system of fines must then relate to the instalment scheme. In this case, under the previous Government the taxpayer would have been required to pay the full amount of land tax by the due date (of 22 November 2004). The taxpayer would not have been given the opportunity to pay over four months without interest or penalty tax being accrued. If the taxpayer did not pay the full amount by the due date the same interest and penalty regime would have applied. To reiterate the interest and penalty regime applying in this case commenced for the 1998-99 financial year.

The Commissioner of State Taxation has advised me that he has reviewed the rates of interest and penalty tax described above.

Having considered a number of factors, including the introduction of a quarterly payment option, the Commissioner has come to the view that it is appropriate to alter the penalty rate applied in the first instance.

For the 2005-06 financial year, in the first instance the rates of penalty tax of 25 per cent will be remitted to 5 per cent of the amount of primary tax outstanding, provided the full amount of outstanding tax is paid by the date stipulated in the further assessment.

RevenueSA has issued a Circular number 257, which informs taxpayers of the above and also of the Government's decision to introduce quarterly instalments.

In reply to **Mrs PENFOLD** (9 February).

**The Hon. K.O. FOLEY:** RevenueSA advises that it has investigated the matter raised, concerning land tax assessments in cases where one member of a couple passes away and the former matrimonial home is transferred to the surviving partner. I understand that the constituent referred to by Mrs Penfold knows of one case where this has occurred.

Prior to the Notices of Land Tax Assessment being issued, RevenueSA staff work hard to ascertain when an owner of land is eligible for an exemption from land tax.

When a death is registered on the Lands Titles Office Certificate of Title, the property is transferred solely to the surviving partner. In this instance, RevenueSA's computer system did not automatically raise the principal place of residence exemption.

Clearly, RevenueSA does not wish to issue land tax accounts to widows or widowers where it is not warranted and apologises for any distress caused. RevenueSA advises me that whilst errors of this nature are rare, they recognise the importance of preventing such errors, and are introducing further measures to prevent recurrences in the future.

RevenueSA also advise that any person who has inadvertently paid land tax on their principal place of residence will receive a refund.

In reply to **Hon. R.G. KERIN** (25 November).

**The Hon. K.O. FOLEY:** I have received correspondence dated 18 November 2004, from the Member for Norwood, on behalf of Mr Robert Elliott.

The Government appreciates that the strong uplift in property values over recent years has led to significant increases in land tax bills for many land owners.

Reflecting this, the Government has announced a land tax relief package costing close to \$245 million over the period to 2008-09.

The package involves adjustments of the land tax threshold and rate structure to provide broad-based relief. The tax free threshold will be lifted from \$50,000 to \$100,000, with the number of taxable

brackets increased from three to five enabling marginal rates to be smoothed.

An estimated 44,000 landowners will pay no land tax as a result of lifting the tax-free threshold from \$50,000 to \$100,000. A further 77,000 taxpayers will benefit from the re-scaled land tax structure.

The maximum benefit is \$2,850 for land ownerships with a total taxable site value of between \$550,000 and \$750,000.

An *ex gratia* land tax rebate will apply to 2004-05 land taxpayers equal to 50 per cent of the savings under the new land tax scales.

The rebate will be determined by recalculating the tax that would have been payable in 2004-05 under the new tax structure that will apply from 2005-06. This amount will be compared to the taxpayer's actual land tax liability in 2004-05 and 50 per cent of the difference will be the rebate amount. It is anticipated that the rebate cheques will start being issued in April 2005.

In addition to the broad-based relief to be provided through the restructured land tax scale, specific amendments will be introduced to provide additional relief to particular categories of land ownership, at an estimated annual cost of \$5 million or \$20 million over the four years from 2005-06 to 2008-09.

- Property owners conducting a business from their principal place of residence, in particular operators of bed and breakfast accommodation will be able to claim full or partial land tax exemptions, depending on the proportion of the house area used for the business activity.

Effective from the 2005-06 assessment year, a full exemption will be available if the home business activity occupies less than 25 per cent of the house (excluding outside/garden areas) and a part exemption will apply to home business activities that occupy between 25 per cent and 75 per cent of the house area based on a sliding scale that moves in 5 per cent increments. No relief will be provided where the home business activity occupies more than 75 per cent of the house area.

- Land used for caravan parks and for residential parks (where retired persons lease land under residential site agreements, which is used as their principal place of residence) will now be exempt from land tax.

- The criteria for determining eligibility for a primary production exemption for owners of land located in "defined rural areas" (close to Adelaide and Mount Gambier) will also be amended to broaden eligibility.

## WORKCOVER

In reply to **Hon. R.G. KERIN** (16 February).

**The Hon. K.O. FOLEY:** I am advised that the Government's Observer on the WorkCover Board is the Under Treasurer and that he is appointed by the Minister for Industrial Relations.

I am advised that on matters associated with the operations of WorkCover the Under Treasurer reports to the Minister responsible.

## LAND TAX

In reply to **Hon. DEAN BROWN** (25 November 2004).

**The Hon. K.O. FOLEY:** I advised on 25 November 2004, that I was looking into the implications of land tax on residential parks.

As the honourable member would be aware, on 16 December 2004, I sent him a letter advising that I had approved *ex gratia* relief for Harbor Village Pty Ltd, the owner of the property in question.

The government has subsequently announced a land tax relief package costing close to \$245 million over the period to 2008-09.

The package involves adjustments of the land tax threshold and rate structure to provide broad-based relief. The tax free threshold will be lifted from \$50,000 to \$100,000, with the number of taxable brackets increased from three to five enabling marginal rates to be smoothed.

In addition to the broad-based relief to be provided through the restructured land tax scale, specific amendments will be introduced to provide additional relief to particular categories of land ownership, at an estimated annual cost of \$5 million or \$20 million over the four years from 2005-06 to 2008-09.

Land used for caravan parks and for residential parks (where retired persons lease land under residential site agreements for the purpose of locating transportable homes on that land) will now be exempt from land tax. The relief is being offered to protect retirees from land tax where their principal place of residence is located on land that is not owned by them.

**POLICE, NUMBERS**

In reply to **Mr BROKENSHIRE** (10 February).

**The Hon. K.O. FOLEY:** The Commissioner of Police has advised that the South Australia Police (SAPOL) is seeking to satisfy the combined recruiting targets of attrition, an additional 200 positions created by the State Government, and new initiatives. Therefore the total number of recruits required by June 2005 is approximately 300. A number of external factors continue to impact on SAPOL's ability meet recruiting targets through the local jobs market. These factors include South Australia experiencing its lowest unemployment since 1978 and competing in a jobs market where other organisations are also competing.

SAPOL has utilised a number of marketing strategies to attract suitable applicants locally, regionally, interstate and overseas. The marketing campaign undertaken in recent months includes television, radio, newspaper, buses, bus shelters, billboard and print media. This activity has been supplemented by representation at Careers Expos and school talks. A new series of Television commercials has been produced which has been showing this year.

The recruiting process has been reviewed and refined during 2004. SAPOL's standards have been consistently maintained and will continue to be maintained to meet the expectations and needs of the community.

Approximately 200 more local applications were received in 2004 than the previous year. Despite this increase and a sustained and aggressive recruiting campaign, there have been insufficient numbers of suitable recruits found locally to meet the unusually high recruiting target for 2004-2005.

In response, SAPOL has capitalised on changes to the Regional Sponsored Migration Scheme and recruited serving police officers from the United Kingdom. The United Kingdom was targeted due to shared language, similarities in policing practices and philosophies and similar judicial systems.

It is anticipated that with these efforts SAPOL will meet its recruiting targets while maintaining entry standards.

In reply to **Mr BROKENSHIRE** (7 February).

**The Hon. K.O. FOLEY:** The Commissioner of Police has advised that the standard recruit training course is of 28 weeks duration. Serving police from interstate and the United Kingdom who successfully complete the selection process and are recruited into SAPOL will now complete an abridged 12 week training course followed by an 18 month probation period before permanent appointment. The abridged training course was developed and has been implemented in recognition of their skills and experience within policing.

The course which commenced on 21 March 2005 is the first abridged course and is predominantly made up of United Kingdom police officers. Two participants of the course are previously serving police officers from New South Wales and Northern Territory.

**FIREARMS OFFENCES**

In reply to **Mr BROKENSHIRE** (10 November 2004).

**The Hon. K.O. FOLEY:** The Commissioner of Police has advised me that the South Australian Police (SAPOL) is in the process of reviewing its business model with regard to the investigation of firearms offences. This includes licensing, registration and secure storage issues.

To improve enforcement of the Act the Government has provided funding for an additional five staff to Firearms Branch to assist in the conduct of these investigations.

**POLICE, SWITCHBOARD**

In reply to **Mr BROKENSHIRE** (16 February).

**The Hon. K.O. FOLEY:** The Commissioner of Police has advised that the South Australia Police (SAPOL) general business telephone switchboard was permanently closed as of Friday 25 February 2005. In recent years, the switchboard has only been available between 8 am and 6 pm on working weekdays. Usually calls to the switchboard were of a very general inquiry nature, such as telephone extension connection to individual SAPOL employees.

All external callers who ring 82075000 will automatically be diverted to the Call Centre and then transferred to the appropriate section.

Affected switchboard staff members have been redeployed to other SAPOL areas including the Call Centre to assist with the changed processes.

**DRUG AFFECTED DRIVERS**

In reply to **Mr VENNING** (26 May).

**The Hon. K.O. FOLEY:** Testing of deceased persons for drugs is generally undertaken either at the discretion of a pathologist reporting to the Coroner or at the request of SAPOL. Of the 139 fatalities in 2004, Forensic Science SA data indicates that 117 were tested for alcohol and drugs.

At present SAPOL is unable to produce statistics for drugs in surviving drivers or drivers involved in casualty crashes as these drivers are not necessarily drug tested.

Of the 101 drivers and motorcyclist riders killed, 87 were tested for drugs and/or alcohol.

- 8 per cent tested positive to cannabis alone;
- 13 per cent tested positive to cannabis and alcohol;
- 2 per cent tested positive to methylamphetamine alone;
- 1 per cent tested positive to methylamphetamine and alcohol;
- 1 per cent tested positive to cannabis, methylamphetamine and alcohol; and
- 2 per cent tested positive to cannabis and methylamphetamine.

In addition, two passengers and three pedestrians tested positive to cannabis and alcohol.

**CHILD ABUSE RALLY**

In reply to **Mrs REDMOND** (11 November 2004).

**The Hon. K.O. FOLEY:** On 25 September and again on 29 September, my electorate office received two emails from "Child Protection Watchdog Inc". These emails requested that I respond to the allegation that I described the Advocates for the Survivors of Child Abuse as "loonies". No other request was made of me in the email.

I am advised that my office responded on 4 October, drawing attention to my personal explanation to the House, which refuted the allegation. The person identifying herself as the co-ordinator of the group's website thanked my staff for the response.

**CLARE VALLEY WATER TANKS**

In reply to **Hon. R.G. KERIN** (2 June).

**The Hon. J.D. HILL:** I refer the honourable member to my response in Hansard during Estimates Committee Hearing A on 21 June 2005 on page 202.

**EIGHT MILE CREEK**

In reply to **Mr WILLIAMS** (5 May).

**The Hon. J.D. HILL:** I have been advised that:

The Eight Mile Creek is a conduit for the discharge of water from Ewens Ponds to the sea and as such is an important part of this unique ecosystem. Members of the community questioned the practice of mechanically dragging the creek, which has been used by the South Eastern Water Conservation and Drainage Board to remove silt and aquatic plants since the mid 1950's to assist the drainage of farm lands. Concerns were expressed that the water quality within the creek and subsequently in Ewens Ponds might be impacted by the dragging process.

The Board engaged environmental consultants to observe the effects of mechanical dragging of the Eight Mile Creek. The consultants provided the Board with a range of environmental outcomes that will be pursued, and recommended methods that can be used to ensure that the drainage of farm land continues while still achieving important environmental outcomes.

**SCHOOLS, SOUTH-EAST**

In reply to **Ms CHAPMAN** (5 May).

**The Hon. J.D. LOMAX-SMITH:** I refer to the question without notice regarding behaviour issues on the Kalangadoo/Penola school bus.

The District Director for the Limestone Coast has informed me that behaviour issues on this bus were dealt with by the school as soon as they were reported.

The school has a bus behaviour code that was sent home with all bus students at the start of the year. This document outlines the consequences for poor behaviour, which can include suspension from the bus for 2-5 days.

I am informed that when parents reported problems to the District Office in Mount Gambier late last term, immediate investigations took place, which included interviewing students, parents, the bus

contractors, and leaders from the schools involved. Following this investigation, a meeting took place that involved the District Director, the Principals of Penola High and Penola Primary and the bus contractor. This meeting allowed all the issues to be aired, and recommendations for improving the situation were agreed to by all parties.

At this meeting, I am informed that the bus contractor did bring up the issue of installing security cameras on his bus. As a private bus contractor he is entitled to do this if families are informed in advance and correct procedures for the use of the cameras are properly documented prior to their installation.

The Department of Education and Children's Services informs me that at this stage, the contractor is satisfied with the proposed changes to bus procedures and is expecting improvements in student behaviour as a result of these changes.

### KOONIBBA, FLOOD MITIGATION PROJECT

In reply to **Mrs PENFOLD** (23 June).

**The Hon. S.W. KEY:** The Koonibba Flood Mitigation Project is a Commonwealth Government funded project under the National Aboriginal Health Strategy program (NAHS program). The program of works is funded through the Federal Department of Health and Ageing.

Following consultation with the Koonibba Community I announced in February this year that \$15,000 of *South Australia Works* funding would be provided to support 12 people in the Koonibba Community undertake civil operations training and work experience on the project.

The training in civil construction, landscaping and general construction skills was to be accredited and provide readily usable occupational skills.

In subsequent consultations between the Koonibba Community and the *South Australia Works* Regional Program Coordinator the community indicated that under the NAHS program arrangements they would be calling tenders for the flood mitigation works to be carried out. This created timing difficulties in linking the *South Australia Works* project to the construction of the flood mitigation levees.

However the Koonibba Community was also keen to develop a tourism bush trail to an Aboriginal site in the area—The Rock Hole. To ensure that *South Australia Works* would still provide assistance to the Koonibba Community this became the focus of the project with the community.

The project is in the first stages of implementation and TAFE SA Regional (Ceduna TAFE) will deliver the training. The project will involve 12 people from the community and will still focus on the development of civil construction, landscaping and general construction skills. The minimum funding commitment from *South Australia Works* will be \$15,000 to meet training costs.

This is a collaborative project between the community, *South Australia Works* and other agencies both state and federal. The project will involve the construction of shelter sheds along the trail, paving, fencing, signage, landscaping and environmental activity. The training provided will be accredited and will provide participants with work ready skills.

As the Koonibba Flood Mitigation Project is a Commonwealth Government project I am unable to say when it will be finished. I am also unable to comment on whether it cost half a million dollars or whether it was wise for the Commonwealth to build a flood mitigation levy 170 metres above sea level in a low rainfall area.

### WORKCOVER

In reply to **Hon. R.G. KERIN** (30 May).

**The Hon. M.J. WRIGHT:** I am advised that the number of new claims reported fell by 446 in the March 2005 quarter compared to the March 2004 quarter, whilst the number of active claims increased by 820 claims when comparing successive March quarters. The increase of 820 claims relates to both income maintenance and non-income maintenance claims or every year that the Scheme exists, it will gain the liability of a certain number of 'difficult cases', long term claimants for whom it is difficult to achieve a return to work or other discontinuance. Addressing the long term claims liability is one of WorkCover's greatest challenges and improving return to work outcomes is a critical component of WorkCover's Strategic Plan 2004-07.

I am advised that the total number of long-term claims—those being 3 or more years old—to 31 May 2005 was 2,013. I am advised

that at May 31 last year, that figure was 1,731. I am also advised that that is an increase of 282 claims—not a 1,200 increase—in long term claims in the last 12 months.

In reply to **Hon. R.G. KERIN** (25 May).

**The Hon. M.J. WRIGHT:** I am advised that the Treasurer's Instructions require all Government agencies and statutory authorities to utilise the services of the Crown Solicitor **unless** otherwise exempted by the Crown Solicitor or Cabinet. I am also advised that the Crown Solicitor has confirmed that WorkCover was exempted from the obligation to use the Crown Solicitor by Cabinet decision dated 28 June 1993. I am advised that there was therefore no need for WorkCover to obtain advice or an exemption from the Crown Solicitor before entering its current legal panel selection process.

In reply to **Hon. R.G. KERIN** (11 April).

**The Hon. M.J. WRIGHT:** The public sector has for many years met its workers compensation costs as they are incurred. The actuarial assessed liability reported for the public sector is the total estimated outstanding liability. This is not directly comparable with the WorkCover unfunded liability. As the term implies, the unfunded liability for the WorkCover scheme only refers to that portion of the total liability that is not "funded" by matching assets or funds.

In reply to **Hon. I.F. EVANS** (30 May).

**The Hon. M.J. WRIGHT:** Actuarial assessments of WorkCover's liabilities are conducted twice a year – one for the full financial year, and one for the half financial year. Unfunded liability ratios are based on that assessment and are therefore assessed and reported twice a year, not quarterly.

A challenging Strategic Plan has now been put in place and WorkCover is working with its external stakeholders to ensure performance improves.

Much work is underway to improve WorkCover's performance.

Many of the performance measures in the Management Performance Reports fundamentally relate to claims management outcomes. A particularly important initiative that the Government has come forward with in that regard are new regulations to improve claims management.

### FLEET SA

In reply to **Mr WILLIAMS** (2 June).

**The Hon. M.J. WRIGHT:** The vehicle fleet replacement policy has been changed to a nominal retention period of three years/60,000km, for the 2005-06 financial year.

The Government currently purchases approximately 4,000 vehicles a year, not 9,000 per year.

This purchasing volume is expected to be impacted minimally over the next two financial years, as vehicles will continue to reach the end of their current two year/40,000km leases.

The effect of the new policy will be evident in the 2007-08 financial year, when the vehicle fleet will be aligned to a three year replacement cycle, with purchases reducing to just under 3,000 vehicles.

The impact on any one-vehicle manufacturer is less than one per cent of their total annual vehicle production.

An impact study of the industry and employment environment and union consultation was not warranted, considering the minimal impact the reduction in vehicle purchases will have on any of the Australian manufacturers.

The Government continually liaises with each of the Australian manufacturers representatives on a regular basis and I am advised that to date no objections to the Government policy have been raised.

The Government will continue to liaise with the local manufacturers to ensure a smooth transition to the new replacement policy.

### OFFICE OF THE NORTH

In reply to **Mr WILLIAMS** (13 April).

**The Hon. M.J. WRIGHT:** The Minister for Urban Development and Planning has provided the following information:

The Director for the Office of the North is Mr Peter Sandeman and he is located at Edinburgh Park.

Until March 2004, this Office was connected to the Department of Transport and Urban Planning's computer network via the Elizabeth Customer Service Office resulting in the traffic sharing a common pathway. This connection (a 128 kilobyte link) was too

small a capacity to undertake normal business activities such as opening documents, Internet access, and email distribution.

This was compounded when other Agencies moved into the Office of the North and needed to access their own Agency IT systems.

Telstra were approached several times to upgrade the link and replied that, due to cabling issues, the link was at maximum capacity.

### SCHOOLS, FLOODING

In reply to **Ms CHAPMAN** (23 June).

**The Hon. M.J. WRIGHT:** For the period 9 June 2005 to 23 June 2005 the Department for Administrative and Information Services hotline received 450 emergency breakdown calls from schools with regard to flooding, leaking roofs and associated water damage.

The estimated cost to carry out repairs is \$187,160

In accordance with DECS policy, gutter cleaning maintenance is mandatory only for school sites that collect potable water. In other schools sites, the service is optional and can only be provided at the school's request.

Of the 6,500 DECS buildings statewide, 17 per cent received gutter cleaning maintenance in the metropolitan area through Building Maintenance and the Facilities Management Contract, and 62 per cent in the country area through Building Maintenance Regional Country Offices.

A significant number of schools may also be undertaking gutter and downpipe cleaning maintenance through the utilisation of their grounds person or other means.

### VICTIM COMPENSATION

In reply to **Hon. D.C. KOTZ** (4 May).

**The Hon. M.J. ATKINSON:** The recovery of Peter Liddy's assets has no bearing on claims for victims' compensation, or, as it used to be known, criminal injuries compensation. On the other hand, the recovery of the assets might improve the prospects of victims who are suing Peter Liddy. It is not for me to comment on the merits of those private actions; rather, these are matters on which victims will continue to take independent legal advice.

### YOUTH ACCOMMODATION

In reply to **Mrs REDMOND**.

**The Hon. J.W. WEATHERILL:** The costs of providing the two forms of care can not be directly compared as one form is a transitional response and the other is a longer term structured service. Consequently the cost components are different.

Children who have complex needs and challenging behaviours often cannot be immediately placed in groups or foster accommodation because their behaviour may impact on other children or unnecessarily remove them from their local community.

Where this occurs they usually require one to one supervised care that can cost up to \$700 a day in motels or units.

Where children can be placed in group accommodation, such as the government's 10 new transitional linked care houses, typically costs about 60 per cent of the daily cost of looking after a young person with one to one supervision in a motel or unit.

### OFFICE FOR THE AGEING

In reply to **Hon. DEAN BROWN**.

**The Hon. J.W. WEATHERILL:** In the second paragraph of the performance commentary an incorrect tense was used to explain the consolidation for the management of HACC Program funding. Within the first sentence of this paragraph, the words 'will be' should have been 'was'.

Additionally, the first sentence of the third paragraph is similar to a sentence used last year. However, this still correctly describes the HACC Program. Further, the information provided for this program is correct for the reported periods and is not a repeat of last year's information.

### HOMESTART

In reply to **Hon. R.G. KERIN** (7 March).

**The Hon. J.W. WEATHERILL:** Graduate loans are available to borrowers in most major regional towns in South Australia (SA).

The graduate loan was launched in October 2002 in response to the need to assist graduates into home ownership. As at 28 February 2005, 350 graduate loans had been settled, amounting to

\$65.2 million. Sixty (17 per cent) of these were to regional customers. At 21 March 2005, 39 per cent of HomeStart's overall lending has been to customers in regional SA.

In addition to its general lending guidelines, HomeStart also has supplementary country lending guidelines which take into consideration additional credit risk factors relating to regional areas, for example, population size, remoteness, historical performance of HomeStart loans, town facilities, median house prices and other economic factors. These guidelines were created to assist regional South Australians into home ownership whilst reducing the risk to HomeStart in delivering this social outcome. Under these guidelines, the graduate loan is available to borrowers in most major regional towns in SA.

Whilst graduates in some smaller regional towns may not qualify for the 100 per cent borrowing permitted by the graduate loan for a property in that town, they may still be eligible for the standard HomeStart loan which allows borrowing between 75 per cent and 95 per cent, depending on how the town has been categorised from a risk perspective. Using Gladstone as a case in point, a HomeStart customer could borrow up to 85 per cent of the purchase price or valuation, whichever is the lower.

### AUDITOR-GENERAL'S REPORT: BUS CONTRACTS

**The SPEAKER:** I lay on the table a report of the Auditor-General concerning an examination, pursuant to section 39 of the Passenger Transport Act 1994, of certain bus contracts and the probity of processes leading up to the awarding of the contracts.

Ordered to be published.

### KAPUNDA ROAD ROYAL COMMISSION REPORT

**The SPEAKER:** I lay on the table the report of the Kapunda Road Royal Commission, which has been published pursuant to the resolution of the House of Assembly of 6 July 2005.

### COMMITTEE REPORTS

**The SPEAKER:** I lay on the table the following reports of committees that have been received and published pursuant to section 17(7) of the Parliamentary Committees Act 1991:

Economic and Finance Committee—School bus contracts.

Public Works Committee—Eyre Peninsula water supply upgrade; Salisbury North urban improvement project; Edinburgh Parks, Wyatt Road, stage 1 construction; North Terrace redevelopment, stage 2; Strathmont Centre redevelopment and community living project; Routine maintenance of roads—metropolitan north, mid-north, Eyre—Flinders and Riverland; Largs North marine industrial precinct; and, Modifications to the River Murray locks and weirs 1 to 6—and construction of a fish passage.

### SUPERANNUATION VARIATION REGULATIONS

**The Hon. K.O. FOLEY (Deputy Premier):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. K.O. FOLEY:** On Wednesday 6 July 2005, during debate on the motion to rescind the house's previous disallowance of the Superannuation Variation Regulations 2005, I made a statement to the house that I wish to clarify. I advised the house:

SuperSA then went to Crown Law and sought an opinion. Crown Law then provided an opinion that he [the gentleman who is challenging these regulations] had an arguable point. At that point this was communicated to the gentleman in question.

I also stated that SuperSA advised the gentleman that it would be seeking 'parliamentary redress to close the loophole' in the superannuation rules. Although acting on advice at the time,

I have now been further advised by SuperSA that the Crown Law opinion regarding the superannuation rules sought by SuperSA and the Superannuation Board was not communicated to the gentleman in question, nor was the gentleman advised, as a result of the Crown Law opinion, that SuperSA would be seeking a change in the rules.

#### SUPERANNUATION FUNDS MANAGEMENT CORPORATION OF SOUTH AUSTRALIA (MISCELLANEOUS) AMENDMENT BILL

**The Hon. K.O. FOLEY (Treasurer):** I seek leave to make another ministerial statement.

Leave granted.

**The Hon. K.O. FOLEY:** On 31 May 2005, a second reading speech was inserted into *Hansard* in relation to the Superannuation Funds Management Corporation of South Australia (Miscellaneous) Amendment Bill. Regrettably, due to administrative error, the second reading speech did not take account of several amendments that were made during debate on this bill in the upper house. I table a correct version of the second reading speech.

#### HOSPITALS, ROYAL ADELAIDE

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

Leave granted.

**The Hon. L. STEVENS:** Members will recall that on 23 June this year the member for Finnis made allegations concerning the management of waiting lists at the Royal Adelaide Hospital. The member for Finnis used what he claimed to be anonymous sources to assert that hospital procedures were being manipulated for political purposes. He claimed that, under instructions from the Department of Health and senior hospital administrators, a number of urgent surgical cases at the Royal Adelaide Hospital were reclassified for political purposes to disguise the fact that patients were not being treated within set time limits. These are very serious allegations indeed, not simply because they infer improper conduct but, more particularly, if true, they have serious implications for individual patient care. For these reasons, I immediately agreed to cooperate fully with any investigation of these allegations by the State Ombudsman.

Members will not need reminding that the State Ombudsman operates at complete arm's length of government. He is independent in the manner in which he conducts investigations and exercises power under his act. He has powers equivalent to a royal commission should he believe that the circumstances warrant it. The State Ombudsman looked into these allegations by the member for Finnis, and I am able to confirm that he has dismissed them. The Ombudsman has found that not only were the member for Finnis's allegations unfounded but that there was 'full compliance' with procedures for managing elective surgical admissions at the Royal Adelaide Hospital. The Ombudsman also found—

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. Standing orders are quite clear that it is improper to criticise another member of this house, other than by substantive motion. The minister appears to be criticising the member for Finnis, other than by substantive motion. It was a criticism, sir.

**The SPEAKER:** I understand that the minister is responding to a criticism made by the member for Finnis. I

am trying to concentrate on what the minister is saying. I will listen carefully. The minister.

**The Hon. L. STEVENS:** The Ombudsman also found that there was proper 'oversight' at all times by the Royal Adelaide Hospital's operations committee. The Ombudsman's report to the health department stated that, where there were alterations to the categorisation of a patient's surgery, they occurred 'with full and proper compliance with policy guidelines and were the subject of considerable medical opinion'. The Ombudsman stated:

I am satisfied that in all cases none of the patients were at risk and the necessary surgery has been carried out to the satisfaction of all responsible parties.

The Ombudsman goes on to state:

It is simply not within the realms of possibility that an administrative direction can be given to change prioritisation of elective surgical patients as any such direction would not only be outside policy guidelines but would not be agreed to by the relevant clinical staff who are members of the Royal Adelaide Hospital Operations Committee.

The Ombudsman uses very strong and conclusive language when he states that it is simply not within the realms of possibility for these events to have occurred, yet the member for Finnis's public response to this finding was that he stands by his original allegation. He is on the record in the media that he stands by the claims from his so-called anonymous source.

It is one thing to make an allegation against your opponent as part of the political contest but when such an allegation reflects on the clinical care provided by one of the state's finest hospitals that is another matter entirely. Such allegations, when repeated after they have been dismissed by the independent Ombudsman—

**The Hon. R.G. KERIN:** I rise on a point of order, Mr Speaker. The minister is now clearly reflecting on the member for Finnis.

**The SPEAKER:** The minister is now getting into debate. She needs to respond to the issue, but not debate it.

**The Hon. L. STEVENS:** To carry on from where I was, the allegations when repeated only served to undermine the public's confidence in the care that it receives. It is even more concerning that the member for Finnis would go as far as to reflect on the findings of the Ombudsman in this matter.

**The Hon. R.G. KERIN:** On a point of order, Mr Speaker—

**The SPEAKER:** Ministerial statements should not be an opportunity for members or ministers to debate an issue. I think that the minister has answered the question. Can she complete it without debating it?

**The Hon. L. STEVENS:** I am up to my final statement, sir. The Office of the State Ombudsman is one that must have the full cooperation and endorsement of every member of parliament if it is to retain the valuable place it occupies in our community.

#### PAPERS TABLED

The following papers were laid on the table:

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

Upper South East Dryland Salinity and Flood Management Act 2002—Quarterly Report 1 April 2005—30 June 2005

By the Minister for Consumer Affairs (Hon. K.A. Maywald)—



Miniature Pony Safety Code of Practice—Recreational Services (Limitation of Liability) Act 2002.

### PILCHARD FISHERY

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

Leave granted.

**The Hon. R.J. McEWEN:** On 25 August 2005 I closed the pilchard fishery after receiving advice from Primary Industries Resources SA Fisheries that preliminary results from the seven-month monitoring program indicated that 19 dolphins had been killed as a consequence of fishing operations. I ordered the closure of the fishery on 25 August 2005 until such time as the code of practice being developed for the fishery was completed and implemented. On 29 August 2005 I attended an industry summit along with PIRSA Fisheries. Scientific personnel from SARDI Aquatic Science and an observer from the Australian government Department of Environment and Heritage were also in attendance. Licence holders were provided with the results of the independent monitoring program and were advised that further dolphin deaths at the fishery were not acceptable. Licence holders agreed at the summit to work together with SARDI Aquatic Science and PIRSA Fisheries to finalise the code of practice that was already under development by the industry.

The code of practice, comprising two approaches, aims to reduce interaction with dolphins and minimise dolphin mortalities. The first is to change the configuration of the purse seine nets to allow for escape gates in the net and enable a cork line to be sunk along the net to allow for the dolphins' escape. The second is to change operator behaviour and educate the fishers to be vigilant in observing dolphins' interactions. On 8 September 2005 the code of practice was finalised. I have approved the code of practice and will provide exemptions to licence holders to commence a trial, with independent observers on their vessels. The fishery will not reopen unless the industry demonstrates the successful attainment of the objectives set out in the code of practice.

### BLUE SKY DEVELOPMENTS (SA) PTY LTD

**The Hon. K.A. MAYWALD (Minister for the River Murray):** I seek leave to make a brief ministerial statement.

Leave granted.

**The Hon. K.A. MAYWALD:** On 20 June 2005 in estimates committee the member for Finnis asked a number of questions about the operations of the Office of Consumer and Business Affairs in relation to an investigation into a building company, Blue Sky Developments (SA) Pty Ltd, which I shall refer to as Blue Sky Developments. Before providing information on this matter, I wish to clarify a statement made in the estimates committee on 20 June 2005. In response to a question by the member for Finnis on the issue of Blue Sky Developments, I stated that a written agreement between a consumer and Blue Sky Developments had been reached though HIA conciliation, but that evidence on the OCBA file suggested that the parties had failed to sign off on this agreement. I have since been advised by OCBA that both parties did in fact sign the agreement but that Blue Sky Development failed to comply with all aspects of the agreement leading to one of the complaints outlined by the member for Finnis.

During the course of the estimates committee I undertook to examine information provided by the member for Finnis regarding OCBA's actions in relation to this matter. I advise that as a result of the matters raised by the member for Finnis, I directed the Commissioner for Consumer Affairs to engage an independent person to conduct an investigation into the handling by OCBA of complaints made against Blue Sky Developments. In particular the investigation was to examine whether the Office of Consumer and Business Affairs had been negligent and incompetent in the handling of complaints about Blue Sky Developments, in particular in its failure to warn consumers about serious complaints about the company; and whether the Office of Consumer and Business Affairs has acted properly in annually renewing the company's licence since 2002.

The Commissioner for Consumer Affairs has advised me that after consultation with the Crown Solicitor as to the selection of an appropriate person, Mr Bill Ackland, auxiliary magistrate, was appointed. I now table Mr Ackland's report. In relation to the first question, Mr Ackland concludes that the Office of Consumer and Business Affairs was not negligent or incompetent in the handling of complaints concerning Blue Sky Developments and in not warning consumers about complaints about the company. On page 16 of his report, Mr Ackland states:

I conclude that at no relevant time was there sufficient information before OCBA to justify private or public warnings that would have aborted the contractual arrangements that were to lead to the financial loss and personal heartache caused by the collapse of Blue Sky Developments. To hold otherwise would be akin to criticising the police for failure to use knowledge of a crime obtained after its commission to intervene prospectively to prevent it.

In relation to the second question, Mr Ackland concludes that the Office of Consumer and Business Affairs acted properly in annually renewing the company's licence since 2002, in the context of its powers under the Building Work Contractors Act 1995. Mr Ackland also raises issues which I intend to consider further, including the commissioner's powers to initiate disciplinary action and the effectiveness of those powers; compliance (including arbitration); and time frames for investigations of serious allegations.

In highlighting the report's conclusion that OCBA has acted properly in relation to this matter, I do not intend to understate the financial loss and emotional toll suffered by the complainants in this matter. I note that the Ackland report points out that OCBA's investigation into whether Blue Sky Developments has potentially breached relevant legislation has not proceeded as quickly as might be expected, and highlights the need for this investigation to be pursued to its conclusion energetically and efficiently. I have directed the Commissioner for Consumer Affairs to bring the investigation to a conclusion as quickly as possible. I expect that if the outcomes of the investigation support doing so, the commissioner will take disciplinary or prosecution action.

In May 2005, I requested that the Commissioner for Consumer Affairs commence a review of the Building Work Contractors Act 1995 in relation to licensing criteria. After the member for Finnis raised these further matters during the estimates committee, I directed the commissioner to extend the review to consider the effectiveness of the building indemnity insurance scheme. Since receiving Mr Ackland's report I have now asked the commissioner to ensure that Mr Ackland's recommendations are incorporated and addressed in the review. I advise the house that I welcome the Ackland report, its findings and its recommendations. I wish to thank

Mr Ackland for his efforts in undertaking his investigation in a conscientious and timely manner.

## QUESTION TIME

### HEALTH SERVICE, GAWLER

**The Hon. R.G. KERIN (Leader of the Opposition):** Will the Minister for Health explain why she and the Department of Health refused to renew the contracts of the two existing obstetricians at the Gawler public hospital, who are providing an excellent birthing service? Over the past 23 months the two obstetricians have tried to negotiate new contracts with the government. An offer was made in writing by the Gawler Hospital Services board to Dr Cave and Dr Stewart Rattray in June 2004. Both accepted the offer but it was later overturned by the minister. In May this year, the minister was petitioned by 5 000 residents to retain the services of the two obstetricians. The minister promised at a public meeting that the issue of contracts would be resolved but four months later nothing has happened.

**The Hon. L. STEVENS (Minister for Health):** First of all, the government has not refused to renew contracts for the two obstetricians in Gawler. There were, regrettably, protracted negotiations in relation to the contracts—

*Members interjecting:*

**The SPEAKER:** Order! A question has been asked and common courtesy would tell members that they should listen to the answer. If members do not want answers, they should not ask questions. The minister has been asked a question. It is hard to hear what she has to say.

**The Hon. L. STEVENS:** Thank you, sir. Contract negotiations between the obstetricians, the Gawler Health Service board originally and, finally, between my department and the obstetricians were, regrettably, protracted. However, at a public meeting which was held at the end of May and which I attended at the invitation of the member for Light (and I have attended both the meetings, to front up to the people in Gawler), I gave a strong commitment from the government to provide local birthing services in Gawler and, in particular, to expedite the negotiations on the contract and a finalisation of those negotiations as quickly as possible. Regrettably, some weeks later one of the doctors announced that he was relocating to Brisbane, hence the government's move to deliver its commitment through a new service run by the Women's and Children's Hospital.

### CRIME

**Ms BEDFORD (Florey):** My question is to the Premier. What is being done to combat crime during the current government's term in office, and is it working?

**The Hon. M.D. RANN (Premier):** I am pleased to report—

*Members interjecting:*

**The SPEAKER:** Order! The Premier will answer when the house comes to order.

**The Hon. M.D. RANN:** I am pleased to report that South Australia is a safer place, with crime down again this year, with more police and the latest DNA technology helping to trace criminals who are subject to tough new penalties. New police figures for the 2004-05 financial year show that total offences reported by victims have fallen 6.6 per cent. That is on top of the 6.4 per cent drop the year before. Crime has

fallen over the past two years in all but two of the 24 categories specified by police.

Crime reductions of this magnitude have not been seen in South Australia for years. In fact, members opposite would be aware that, in fact, it rose dramatically under the former Liberal government between 1997 and 2001—that is what I am told. Who was the minister then? Who was the minister for police? We had, of course, the soft soap approach from the then attorney-general; they were soft on crime and soft on the causes of crime.

Crime reductions of this magnitude, as I have said, have not been seen in South Australia for years. This year, property offences are down 7.5 per cent, or 13.9 per cent, I am told, over the two-year period. Offences against people are up half a per cent, unable to completely maintain the strong 9.4 per cent dip of the previous financial year. The biggest crime reductions have been recorded for murder, driving causing death, assault police and robbery, as well as serious criminal trespass, deception, dealing in stolen property and theft from shops and cars.

Our police are to be commended. The number of offences recorded as a result of proactive policing has also increased 3.8 per cent, including an 18.3 per cent rise in the detection of drink driving offences, and that is a good thing. This reflects the fivefold increase in detection since this government introduced full-time mobile random breath testing in June.

**An honourable member:** You're a hero!

**The Hon. M.D. RANN:** That is very kind of you. Thank you. It was very nice to get that sort of support from the other side of politics, and I honestly commend the member opposite for what he had to say. A rise in the number of sexual offences being reported by victims is not surprising, given the extensive publicity relating to paedophiles—

*Members interjecting:*

**The Hon. M.D. RANN:** No—

**The SPEAKER:** Order! The Premier will answer the question.

**The Hon. M.D. RANN:** Can I just say—

*Members interjecting:*

**The Hon. M.D. RANN:** Just listen to them. They do not like the fact that crime went up under the Liberals and that crime and unemployment have gone down under this government—and that is the difference.

*Mr Brokenshire interjecting:*

**The Hon. M.D. RANN:** I see. Okay.

**The SPEAKER:** Order! The Premier will resume his seat. Question time is not a time for debate, and the member for Mawson is getting off to a bad start. He has had a lengthy period of time in which to rehabilitate himself after the previous sitting. The Premier will answer the question and not debate it.

**The Hon. M.D. RANN:** Okay, sir. A rise in the number of sexual offences being reported by victims is not surprising either, given the extensive publicity relating to paedophile activity since the parliament removed a limitation on prosecuting historic sex offences and the extensive work of SAPOL's Paedophile Task Force.

Let us talk about police numbers. We have 3 788 police on the beat and another 214 cadets in training. That is more police than ever before—more police than at any time in the past. In particular, it is more police than when the former Liberal government was in power: we know what it did to police numbers. Of course, we are continuing in our recruit-

ment efforts to ensure that we achieve the additional 200 promised record number of police on the beat.

Crime is down and unemployment is down. We have invested an additional \$7 million in the use of DNA technology and legislated for much wider testing of suspects and all prisoners. Let us remember what we were told from the other side of the house. They did not want Von Einem to be DNA tested. This is the most significant crime fighting advance in South Australia ever. It has seen our state's DNA database undergo massive expansion from samples from 500-odd convicted offenders in 1999 to almost 20 000 DNA samples from suspects and offenders. That is a 40-fold increase in DNA testing. Now that we are arming SAPOL with the tools to catch criminals, we are arming the courts with tough new penalties to help lock them up for longer.

I refer also to hoon drivers. Who was it who said that nothing would happen, and that it was all spin?

*Mr Brokenshire interjecting:*

**The Hon. M.D. RANN:** You know, the opposition did not have the guts to take on hoon drivers. It did not have the guts to remove that impediment on investigating paedophiles prior to 1982. I was very pleased to hear that by the end of July 130 hoon drivers had had their precious wheels impounded—and that in just a few months of the tough new laws.

More paedophiles have been brought to account since we doubled the police paedophile task force in this state to cope with the increased reporting of sex offences that flowed from the parliament's abolition of the statute of limitations on historic sex offences. We have also seen an 80 per cent decrease in the number of heroin-related overdose deaths in South Australia.

*The Hon. D.C. Kotz interjecting:*

**The Hon. M.D. RANN:** I am pleased that the honourable member for Newland is to retire shortly. I really admire the fact that she dumped on those opportunists within her own party who are trying to take her seat away from her. Statistics prove that this government does more than stand up against high profile crimes like the Nemer and McGee cases. We are refusing parole for murderers such as McBride, Watson and Ellis. So we will continue the fight against crime. Remember this: there will be some big billboards—Labor, tough on crime; Liberals, soft on crime.

*Members interjecting:*

**The SPEAKER:** Order! The house will come to order.

**The Hon. R.G. KERIN (Leader of the Opposition):** Can I ask a supplementary question, sir? Given his answer, can the Premier explain why the latest extensive survey of South Australians has found that only 5 per cent feel safer today than they did five years ago under a Liberal government?

**The Hon. M.D. RANN:** We have seen the *Sunday Mail* poll. I am going on the police statistics. So, the opposition might not have faith in the police, but we do.

## HEALTH SERVICE, GAWLER

**The Hon. R.G. KERIN (Leader of the Opposition):** My question is to the Minister for Health. Will the minister explain to the house why she did not consult with the head of obstetrics and anaesthetics at the Women's and Children's Hospital and the college of obstetricians before announcing her so-called new improved model for birthing at the Gawler Hospital? Dr John Svigos, senior visiting obstetrician and gynaecology specialist at the Women's and Children's

Hospital, said the following on radio 5AA, when asked whether he had been consulted on the new model:

Well, I can say to you honestly, and having spoken to the director of obstetrics, Brian Peat, that he nor I have ever been in the loop. I'm one of the heads of units of obstetrics. There's also Dr Bill Antonis and Dr Brian Wheatley. They also do not know and have not been included in any negotiations about the Gawler health service.

**The Hon. L. STEVENS (Minister for Health):** As Minister for Health, I do not personally negotiate in terms of establishing services. However, in terms of—

*Members interjecting:*

**The Hon. L. STEVENS:** I would like to answer the question, sir.

**The SPEAKER:** The house will come to order. It is members' question time that is ticking away, but there is no point if we cannot hear the answer. The Minister for Health.

**The Hon. L. STEVENS:** Thank you, sir. When Dr Cave announced that he was relocating to Brisbane, it was very clear that, instead of needing to recruit just one obstetrician, as we were doing to make a total of three, we needed to recruit two. In a scenario of work force shortages, we believed, in order to deliver our commitment to local birthing services in Gawler, that we needed the best possible opportunity to attract obstetricians to this state, and in order to do that we are delivering the service through the Women's and Children's Hospital. In terms of who organised that with the Women's and Children's Hospital, the discussions occurred between my chief executive and the chief executive of the Women's and Children's Hospital, and they have asked Dr Ross Sweet, a senior obstetrician, to put the model into place.

I saw the transcript of the radio interview with Dr John Svigos. I understand from the chief executive of the Women's and Children's Hospital that Dr Svigos gave that interview when he was not in possession of the full facts. And why should he be? He was not part of the management group that was putting this model together. My advice is that since that time Dr Svigos has been informed of the model and supports it; and, in fact, the chief executive has advised me that Dr Svigos offered to help with recruitment. The important thing is that we focus on the future, that we put the services in place and ensure that those birthing services are there long-term and are sustainable for the people of Gawler.

*Mr Brokenshire interjecting:*

**The SPEAKER:** The member for Mawson seems to be a slow learner when it comes to standing orders. The member for Wright.

## CROWD CONTROL LEGISLATION

**Ms RANKINE (Wright):** My question is to the Attorney-General. When will South Australia's tough new crowd controller laws become operational?

**The Hon. M.J. ATKINSON (Attorney-General):** Most members opposite were in government for eight years and did nothing about the influence of bikie gangs in crowd controlling.

**Mr Brokenshire:** That is not true; you are misrepresenting the parliament.

**The Hon. M.J. ATKINSON:** Eight years. Well then, perhaps you could specify?

**The Hon. I.F. EVANS:** Mr Speaker, I rise on a point of order. The minister is debating the question. The question was: on what date will the law become effective?

**The SPEAKER:** The Attorney is starting to enter debate and also provoking the opposition unnecessarily.

**The Hon. M.J. ATKINSON:** I was informed by police in mid-2002 that about 80 per cent of crowd controller firms had links to outlawed motorcycle gangs. That was your gift to us.

**The Hon. I.F. Evans:** Three years ago.

**The Hon. M.J. ATKINSON:** In July 2005, parliament passed amendments to the Security and Investigation Agents Act, the Gaming Machines Act and the Liquor Licensing Act to tighten the regulation of security agent behaviour in licensed venues. These are the first laws of their type in the country. Important work is currently under way to write the regulations needed to enable these significant reforms to the crowd control industry to start. Representatives of the Office of Consumer and Business Affairs—

**The Hon. I.F. Evans:** Just give us the date, Michael.

**The SPEAKER:** Order! The member for Davenport will come to order!

**The Hon. M.J. ATKINSON:**—SAPOL and the Office of the Liquor and Gaming Commissioner are working hard to put all the necessary requirements in place for the overdue overhaul of the industry. This work includes setting down the types of charges and offences that will give the Commissioner for Consumer Affairs the discretion to suspend a crowd controller's licence and those that will make suspension mandatory. The group is also compiling a list of all the drugs that crowd controllers will be forbidden to have in their systems when working, including amphetamines and steroids.

SAPOL officers are working hard to take on the enormous task of fingerprinting all existing and future licensees and ensuring that they can access applicants' eligibility in the light of their criminal history and that of their close associates.

One would have thought that it was worthwhile doing these things before the legislation commenced. I am advised that the work is progressing well and that it is planned that the regulations will be operational around the beginning of December. We are not just changing the rules, we are spending \$1 million of taxpayers' money a year extra on policing and checking that backs the law; and it involves 15 extra SAPOL employees and five more positions in the Office of Consumer and Business Affairs to ensure that real policing and checking backs the law. Compliance will be backed by resources: it is not just window-dressing.

In the meantime, the Office of Consumer and Business Affairs is not resting on its laurels. In July, the Commissioner successfully applied to the District Court for the cancellation of a security agent's licence after his conviction on two counts of rape and one of assault. However, the agent—and this is our inheritance from the Liberal Party—had been entitled to work between the date of the conviction in November 2002 and the finalisation of the disciplinary proceedings in July 2005. That is your legacy to the people of South Australia. It is exactly this situation that will be addressed by the new laws, which will ensure that charges such as these are brought immediately to the Commissioner's attention so that he can consider whether a suspension is appropriate and also ensure that the agent's licence cancellation is automatic on conviction, instead of as a result of a second later lengthy court hearing.

*The Hon. D.C. Kotz interjecting:*

**The SPEAKER:** The house will come to order! That includes the member for Newland.

## HEALTH SERVICE, GAWLER

**The Hon. R.G. KERIN (Leader of the Opposition):** My question is again to the Minister for Health. Why did the minister tell women at a meeting at the home of the Mayor of Gawler, Mr Tony Piccolo, that some births at the Gawler public hospital would be done through videoconferencing using junior doctors, when that had to be withdrawn within 24 hours by Jim Birch, the CEO of the Department of Health? Mrs Denise Sawyer stated on radio that the minister told her and two other expectant mothers on 22 August:

There will be a camera link-up with the Women's and Children's Hospital for birth to guide them (trainee doctors) through if it wasn't possible to get a senior doctor up there on time.

At a public meeting yesterday, the specialist obstetricians ridiculed the video-link proposal as totally unacceptable.

**The Hon. L. STEVENS (Minister for Health):** Sir, I did not say that at the meeting.

*Members interjecting:*

**The Hon. L. STEVENS:** No, sir, I did not say that. I certainly did not say anything like what the Leader of the Opposition has suggested. That is just part of the misinformation which is being peddled around this issue throughout the community and which, in particular, is being done to destroy confidence in what we are trying to do in terms of providing birthing services at the Gawler Health Service by our pre-eminent Women's and Children's maternity hospital. I said no such thing to those women. I made sure that I clarified that yesterday at the meeting. Obviously the Leader of the Opposition prefers to keep the misinformation going.

What I did say during that conversation with those women was that the Women's and Children's Hospital, our pre-eminent birthing hospital, would be providing long-term sustainable, safe, secure services for them into the future and that the Women's and Children's Hospital would be bringing to bear all its support and services and range of options for women in Gawler.

Also, I mentioned that just one of the things that would be happening would be electronic technological linkages between the Women's and Children's Hospital and Gawler to enable conferencing, as well as foetal heart monitoring, something that the Women's and Children's Hospital does with other areas that it supports. Most importantly, I emphasised to those women that, although one of the doctors was relocating, the important thing for the mothers and the people of Gawler was that the government's commitment to provide safe, secure and sustainable services into the long term was strong; and that, through the Women's and Children's Hospital, we would do everything in our power to put that in place in the New Year when the doctors' current contracts ran out.

**The Hon. M.R. BUCKBY (Light):** Will the Minister for Health explain to the house why she did not reject a statement made in her presence by her health department manager Roxanne Ramsey at a public meeting in Gawler in May, and does her failure to do so reflect the minister's true attitude? The opposition has been advised that Ms Roxanne Ramsey told pregnant women who were expecting to have their babies delivered by doctors Cave and Rattray that they were, 'after all, only public patients' and that they were not entitled to the sort of care in the public system that they had received over the last five years.

**The Hon. L. STEVENS:** I must say that I am rather surprised that the member for Light says that the opposition

was advised—after all, he was at the meeting. I presume that he heard that statement. I suppose he did not hear it. At the meeting at the end of May to which the member for Light refers there was a lot of discussion about the concerns of people in relation to losing their obstetricians. In particular, people were voicing a legitimate concern that women would like to know who their doctor was right through to the birth of their child. I understand that view. Even in my own case, even though I knew him, my doctor was not there for the birth of either of my sons. However, I understand why people would say that. I believe that the comment made was misinterpreted. However—

*Members interjecting:*

**The ACTING SPEAKER (Mr Snelling):** Order!

**The Hon. L. STEVENS:** The comment was simply stating that when people have private health insurance by right they can select their doctor. When people access public hospitals they access the doctors who are available. That was the point that was being made. In the case of a smaller hospital people would know the doctors concerned. That was the intent of that comment. There was no need to refute it one way or the other.

**The SPEAKER:** The Deputy Leader.

*Members interjecting:*

**The SPEAKER:** The house will come to order first. The Deputy Leader will resume his seat until the house comes to order. The Deputy Leader.

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Will the Minister for Health confirm, as the meeting was told yesterday, that no obstetricians have signed a contract to provide services at the Gawler Health Service even though the government needs two consulting obstetricians and four senior registrar obstetricians under the new safe and sustainable model as outlined by the Minister for Health?

**The Hon. L. STEVENS:** As I said yesterday at the public meeting, negotiations are under way with obstetricians and other doctors. Members need to remember that we are looking to put these services in place in the New Year.

*Members interjecting:*

**The Hon. L. STEVENS:** No; negotiations are under way with obstetricians and other doctors. The Chief Executive of the Children, Youth and Women's Health Service (who has the responsibility for the Women's and Children's Hospital) has informed me that a national and international recruitment is under way as we speak, and I know that that is the case. She has informed me that interviews have occurred with some doctors. Formal offers of employment have been made to them, and we await an early answer. Further recruitment and interviews will be held over the next period. What I can say is that when one of the doctors decided to relocate to Brisbane what did members expect to happen?

*The Hon. Dean Brown interjecting:*

**The SPEAKER:** The Deputy Leader is out of order.

**The Hon. L. STEVENS:** Do we let everything fall apart and close the services, or do we—

*Mr Brokenshire interjecting:*

**The SPEAKER:** The member for Mawson knows that his behaviour is out of order.

**The Hon. L. STEVENS:**—endeavour to put in place the services that we require for the women of Gawler? The government elected to go forward and to put the services in place, and that is what we are doing.

**The Hon. M.R. BUCKBY:** Will the Minister for Health inform the house what plans she has in place for 1 January 2006 if she is unsuccessful in recruiting the required two obstetricians for the Gawler Health Service? The obstetrics staff at the Women's and Children's Hospital have indicated that they believe that it is unsafe for them to supply the services, and the Lyell McEwen advises that it does not have sufficient resources. On 5 September 2005 Dr Christopher Cain (President, South Australian Branch, Australian Medical Association) said:

Having spoken to the people at the Lyell McEwin, it is plainly obvious that they couldn't handle the extra 400 births that are being done at Gawler without an injection of at least two other obstetricians into their system.

**The Hon. L. STEVENS:** The misinformation continues. No one is asking obstetricians who are working at either the Lyell McEwin Hospital or the Women's and Children's Hospital to fill the new positions of obstetricians at Gawler. We are recruiting for the new obstetricians at Gawler. Perhaps if the member for Light had been listening to the Chief Executive of the Women's and Children's Hospital yesterday at his meeting he would have heard her say that we are making every effort to ensure, particularly around the changeover period, December/January/February, that back-up doctors will be in place and that every woman will have a care plan worked out with her personally. That process is beginning now and it will continue, and those women will be supported through this transition.

It is all very well for people to sit in here denigrating what the government is doing, denigrating our efforts to make sure that this service is in place. I think it might just be a good idea, particularly for the people of his electorate, if the member for Light actually got behind the efforts of the government to put the service in place and to reassure women and give them the confidence that they require, as we are attempting to do.

**The Hon. DEAN BROWN:** Will the Minister for Health explain to the house where are the senior obstetricians for the birthing unit at the Queen Elizabeth Hospital who were promised 17 months ago after, to use the government's words, 'a worldwide search', and does the failure of the government to recruit obstetricians for the closed birthing unit at the Queen Elizabeth Hospital also indicate a probable failure at Gawler Hospital?

*The Hon. D.C. Kotz interjecting:*

**The SPEAKER:** The member for Newland does not want to hear the answer, presumably.

**The Hon. D.C. Kotz:** I would like the truth for a change.

**The Hon. L. STEVENS:** The member for Newland has just—

*Members interjecting:*

**The SPEAKER:** The minister will resume her seat. We will wait until the house comes to order. The Minister for Health.

**The Hon. L. STEVENS:** The member for Newland just interjected that she would like the truth for a change. That is unparliamentary and I ask her to withdraw it.

**The SPEAKER:** Whoever made the remark should withdraw it. Who made that remark?

**The Hon. D.C. KOTZ:** I said I would like to hear the truth. I did not at any time state that the minister was telling an untruth. But I could restate if she wishes.

**The SPEAKER:** I did not hear it.

**Mr Koutsantonis:** You talked about lying and Dean stood up!

**The SPEAKER:** Order, the member for West Torrens! I did not hear the interjection but interjections are out of order, whatever they are. There should be no reflection on the member, but I accept that the member for Newland did not indicate what the minister thought she said. Did the Minister for Health wish to ask—

**The Hon. M.J. ATKINSON:** On a point of order, the member for Newland did not deny the innuendo: she merely said that her form of words was not unparliamentary. I put to you, sir, that the form of words contained a clear innuendo that the Minister for Health was telling an untruth to the house, and she asked that it be withdrawn.

**The SPEAKER:** I said that I did not hear the interjection originally, but the member for Newland is saying that she did not say 'We want to hear the truth' in a way that implied that the minister was not telling the truth. The way the member for Newland put it is, I think, acceptable. The Minister for Health.

**The Hon. L. STEVENS:** In answer to the question, the government has not and never will give up on the women of the western suburbs in relation to the Queen Elizabeth Hospital, unlike the previous government in a range of areas.

**Mr Brokenshire:** You won't encourage it, the way you're going.

**The SPEAKER:** I hope the member for Mawson is not seeking to ask a question, because he might not get the call.

**The Hon. L. STEVENS:** The return of birthing services at the Queen Elizabeth Hospital is a more complex task because it requires the recruitment of five obstetricians. That process is continuing and will continue. In the meantime, I remind the house that the Women's and Children's Hospital has again stepped in at the Queen Elizabeth Hospital and is providing pre- and post-natal care at the Queen Elizabeth Hospital and birthing at the Women's and Children's Hospital. I would like to remind the house—

*Members interjecting:*

**The SPEAKER:** Order! The minister will resume her seat. The chair has been very tolerant. The tolerance has run out now. Members of the opposition are flouting the rules of standing orders and it cannot be tolerated. If people want to ask serious questions, presumably they want a serious answer, but what we are hearing is continual interjecting that is just debasing the whole question time. If people do not want to have question time, someone could move that we disband and not have it. Does the minister wish to conclude her answer?

**The Hon. L. STEVENS:** In relation to the Queen Elizabeth Hospital situation, people will remember that there was a range of reasons why the five people left: some retired, some went to the private sector and one went to Mount Gambier. However, the service continues with pre- and post-natal care at the Queen Elizabeth Hospital, courtesy of the Women's and Children's Hospital, which is now doing that and extending other services into the western suburbs. I understand that that arrangement is working well. Nevertheless, we continue. However, I remind the house of who it was who downgraded birthing services at Queen Elizabeth Hospital in the first place.

*Members interjecting:*

**The Hon. L. STEVENS:** I wonder who it was. It was the deputy leader. That is what started the issues there—

**The SPEAKER:** The minister is debating the question now.

**The Hon. L. STEVENS:**—and that is what has made it difficult to sustain the services.

## TOURISM, INDUSTRIAL RELATIONS

**Ms CICCARELLO (Norwood):** My question is to the Minister for Tourism. How will the federal changes to the industrial relations system impact on South Australia's tourism industry?

**The Hon. I.F. EVANS:** I rise on a point of order, Mr Speaker. That question is out of order; it is hypothetical.

**The SPEAKER:** The question is borderline. I assume—  
*Members interjecting:*

**The SPEAKER:** Order! We do not know what industrial relations the member for Norwood has in mind, but the Minister for Tourism might enlighten us. The Minister for Tourism.

**The Hon. J.D. LOMAX-SMITH (Minister for Tourism):** I regret to inform the member for Norwood that the proposed changes to workers' rights, and in particular their annual leave entitlements, will have a profound impact on the tourism industry, both in South Australia and across our country. In particular, I draw the attention of the house to a recent study undertaken in Victoria which has suggested that, as a result of potential decreases in leave entitlements, there will be a 20 per cent reduction in domestic travel. That 20 per cent decline in domestic tourism will equate to \$9 billion across the country. If one extrapolates to South Australia, that would mean the loss of 1.2 million domestic visitors per year and up to \$548 million in tourism expenditure. It could cause a significant problem for many hardworking tourism operators, and the flow-on effect would impact on many regional and rural communities which depend largely on tourism dollars, not just in hotels, pubs and restaurants but also in all the businesses that are supported by tourism expenditure.

At a recent tourism ministers council, held in Hobart on 18 and 19 August, I joined with ministers from Victoria, Western Australia, Queensland, New South Wales and the ACT in warning of the impact of John Howard's plans for Australian workers to cash in their holidays. We took a united front, and we urged the federal minister for tourism, the Hon. Fran Bailey, to lobby her federal colleagues to ensure that annual leave entitlements were maintained. The advent and possibility of a mere two weeks' annual leave entitlement across Australia will impact not only on family wellbeing but also on the opportunity to take holidays and spend money throughout the whole country. Tourism operators and this government together have worked hard to build a robust and lucrative tourism industry.

Along with my ministerial counterparts in other states and territories, I have taken the first crucial step towards urging the Howard government to rethink its proposals which have the potential to lessen annual leave and long service leave entitlements for Australian workers. I call on all members of this house to join in efforts to lobby the federal government to make sure that its federal industrial relations reforms cannot negatively impact on our tourism industry.

## HEALTH SERVICE, GAWLER

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Again, my question is to the Minister for Health. Will the minister advise the house whether the Department of Health had a 23-month period to sign up

Dr Donald Cave to continue as an obstetrician at Gawler before, in frustration, he took a job in Brisbane? I explain my question by quoting to the house what Dr Cave said to the meeting yesterday morning, at which the minister was present, as follows:

The health minister claims there has been a lot of misinformation. . . I agree with her. . . Jim Birch, head of the Health Department claims that his involvement with this process occurred too late to change my plans to accept the position interstate. This is absolutely untrue as he knows. He phoned me on [21 May 2005] at home, so that he could speak with 'a reasonable person' to resolve the situation. . . It was another five weeks before I accepted the offer to relocate to Brisbane. If the head of the Health Department is unable to resolve a simple situation like this in 5 weeks, after 22 months of failed negotiation with his beaurocrats [sic], I question whether he should still be head of the Health Department.

**The Hon. L. STEVENS (Minister for Health):** Firstly, as the member knows full well, country hospitals and all hospitals work under incorporated boards, incorporated under the South Australian Health Commission Act. The former minister knows that.

*Members interjecting:*

**The Hon. L. STEVENS:** Sir, I would like to be able to answer—

**The SPEAKER:** The leader has asked his question; he does not have to answer it.

**The Hon. L. STEVENS:** I have said on many occasions that the negotiations were protracted. From memory, it was about a year that the Gawler Health Service Board itself—it is on its own—was negotiating with doctors Cave and Rattray. It was about a year, and that is too long. That is an issue about the governance issues in our system as they are now. A year was taken; unfortunately, when they thought that they had concluded a contract, and that contract was then sent into the Department of Health for further processing, the Crown Law advice to the department was that the arrangements that they had negotiated were not lawful.

*Members interjecting:*

**The Hon. L. STEVENS:** And we regret that.

**The Hon. I.F. Evans:** Twelve months to negotiate unlawful positions.

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

**The Hon. L. STEVENS:** The member for Davenport laughs about this. The boards of our local health units are all volunteers, and the whole issue of governance where people are volunteers, who are trying to manage health services in this day and age, is a question in itself. But it is not something to be laughed at, because, regardless of what happened there, people did try to do the right thing.

*Ms Chapman interjecting:*

**The SPEAKER:** The member for Bragg!

**The Hon. L. STEVENS:** Unfortunately, the contract that they thought they had put together with the doctors was not viable. After that time, some other issues impacted. For instance, there was the retirement of the CE of the Gawler Health Service and the changeover of the regional general manager in the country region concerned. I was informed of this situation at the end of January. Since that time, we have endeavoured to get this back on track, and I have said that there was a regrettable delay in the procurement process, and that is true. I also think that it is fair to say that things could have been done differently by all the players in this negotiation.

The member mentioned Dr Cave's statement yesterday at the meeting, and how he said (I am just paraphrasing; I cannot remember the exact words) that he was still open to staying on at Gawler after the public meeting. I heard those statements yesterday, and I know full well that every effort was made between the public meeting in May and when Dr Cave finally told the board of the Gawler Health Service that he was relocating to Brisbane. People are assuming that, because Dr Cave said that he would be willing to stay on after the public meeting and then announced his relocation some four weeks later, nothing happened between that time. Nothing could be further from the truth. Lots of things happened during that time in terms of people trying to get an outcome.

Regrettably, Dr Cave decided that he would relocate. That is what happened. I regret that there has been this protracted negotiation, but the important thing is that we get the services in place for the mothers of Gawler, and that is what the government is focusing on.

#### HEALTH SERVICE, NOARLUNGA MENTAL

**Ms THOMPSON (Reynell):** My question is also to the Minister for Health. Can the minister update the house on staffing of the mental health unit at the Noarlunga Health Service?

**The Hon. L. STEVENS (Minister for Health):** I thank the member for Reynell for the question. I am absolutely delighted to do this because I am pleased to be able to inform the house that Noarlunga Health Service has been successful in being able to attract an additional 0.7 full-time equivalent consultant psychiatrist. This additional—

**Mr Brokenshire:** That's minus three. You lost three, and you know it, too.

**The Hon. L. STEVENS:** Sir, I really would have thought that the member for Mawson, as a member for the southern suburbs—in fact, the Noarlunga Health Service is in the electorate of Mawson, and so—

**Mr Brokenshire:** Yes, and we're not happy, sir.

**The SPEAKER:** Order! The chair is not happy with the member for Mawson; he might discover that shortly. The Minister for Health.

**The Hon. K.O. Foley:** What is it with you?

**Mr Brokenshire:** I want a psychiatrist.

**The Hon. K.O. Foley:** I think you do need one.

**The Hon. L. STEVENS:** Perhaps the member for Mawson should make an appointment. This additional psychiatrist commenced at Noarlunga Health Service on 5 September. Members may recall that in February this year—

*Members interjecting:*

**The Hon. L. STEVENS:** Sir, I would like to continue.

**The SPEAKER:** If the minister resumes her seat, we will wait until the house comes to order. The chair is happy to let the clock tick away. The Minister for Health.

**The Hon. L. STEVENS:** As I was saying, the additional psychiatrist commenced at the Noarlunga Health Service on 5 September. Members may recall that in February this year five of the 20 beds in the Morier mental health ward of the Noarlunga Health Service were closed due to a lack of consultant psychiatric staff. At that time five hospital-in-the-home beds were established to enable mental health patients to be provided with a high level of community support in their own homes—and we did that immediately to help out

in that situation where those other beds were closed. These hospital-in-the-home beds provided a direct alternative to inpatient care for low risk patients. During this time people who were not suitable for the hospital-in-the-home model of care were still admitted to the Morier ward.

The recent securing of an additional consultant psychiatrist, as well as additional funding to Noarlunga Hospital, means that the five closed beds on the Morier ward will now be reopened, and they are being reopened gradually this week—day by day one more comes on line until the five are up and running. As well as that the five hospital-in-the-home beds will be maintained while this is occurring. As I said, as of today the Noarlunga Health Service will progressively reopen the five closed mental health beds, and I am pleased to inform the house that the Morier ward will be operating at its full contingent of 20 acute psychiatric beds by next Monday, with the additional five hospital-in-the-home beds also continuing.

#### ASHBOURNE, CLARKE AND ATKINSON INQUIRY

**Mr HAMILTON-SMITH (Waite):** My question is to the Premier. Why did the Premier initially tell the head of his department, Warren McCann, that he did not want the Auditor-General to inquire into the Ashbourne/Atkinson corruption matter? Copies of handwritten notes from the Premier's legal adviser, Sally Glover, indicate that the Premier told Mr McCann that he did not want the Auditor-General to conduct an inquiry into the Ashbourne/Atkinson corruption scandal. These notes were made on 26 November 2002.

**The Hon. M.D. RANN (Premier):** I am the one who suggested it be referred to the Auditor-General; and it was referred to the Auditor-General. However, it was not under the Audit Act, and that was the difference. We asked him to have a look at it, and remember what he said—but I am very pleased that you have raised this issue because, in fact, you should be very pleased with what the Auditor-General had to say. He said (and this is very interesting; it is very good):

... you're characterising this as a cover-up by executive government. You [Rob Lucas] tell me, if you were in government what more would you have done? When you were in government you did nothing like this. But these people couldn't have done more than they did. They then sent it to me. Now, if you want to accuse me of corruption and cover-up—

He went on to say:

Sending it to me put it totally out of their control [their being the government] as to what might have happened. I could have done anything. I could have come straight into the parliament, I could have gone to the police, I could have done whatever was necessary. I made the judgment that there was no criminality involved, so what was involved was a disciplinary process. . .

He also said:

... it is absolutely clear that the Whistleblowers Act does not apply in this situation. There was no whistleblower, there was nobody seeking protection under the Whistleblowers Act. . . the short answer. . . is that the Whistleblowers Act did not apply in this context. . . It is really seriously a beat up to suggest that it does.

It goes on to say some other things about you lot.

**Ms Chapman:** Wait until you see Sally Glover's notes.

**The Hon. M.D. RANN:** Sally Glover's notes? I referred it to the Auditor-General; it was my idea.

**The Hon. K.O. Foley:** No sir, they have got notes; you didn't!

**The Hon. M.D. RANN:** I did. Here we go.

*Members interjecting:*

**The Hon. M.D. RANN:** Okay, here we go. The Auditor-General says:

... I will name the people and I will tell you exactly what their conduct was and I will tell you exactly what their exposure is today under sections 251 and 252, which is the one where people can be prosecuted for demanding a benefit because they hold a particular position.

*Members interjecting:*

**The SPEAKER:** Order! The Leader of the Opposition has a point of order.

**The Hon. R.G. KERIN:** Sir, this is wonderful theatre but the question was about Sally Glover's notes and the Premier has failed so far to address it.

**The Hon. M.D. RANN:** Okay. I can announce today that it was I who recommended sending the material to the Auditor-General and, what's more, I did, and, what's more, he gave me a clean bill of health for doing so.

#### PETROL PRICES

**Mr BROKENSHIRE (Mawson):** Will the Treasurer explain why fuel prices in Adelaide are much higher than the Australian capital city average, and what action is the minister taking to rectify the problem? It was recently reported that the average fuel price in Adelaide on Wednesday 7 September was 139.1 cents per litre, 8.2 cents higher than the national average in other capital cities.

**The Hon. K.O. FOLEY (Treasurer):** I will get some analysis done on that, except to say that Queensland subsidises fuel in that state, so I assume that that would have something to do with the issue of the national average. This goes to the heart of the Liberal Party in the lead-up to the next state election because the shadow minister for transport has said on the public record that there should be for consideration fuel subsidies. The shadow minister, quite independent clearly of his shadow treasurer, seems to have, just like he did in government, no control whatsoever over the spending promises of the opposition. We have done a little bit of analysis. It is very difficult to precisely quantify this, but, on advice that I am provided, if the state government was to subsidise fuel in this state by one cent per litre, I am advised that it would be an estimated cost of \$26.5 million. So the shadow transport minister is saying that we should subsidise fuel pricing.

**The SPEAKER:** Point of order, member for Mawson.

**Mr BROKENSHIRE:** Sir, my point of order is a simple one: it is relevance. I asked the Treasurer to explain why we are higher than the national average and what he is going to do about it. That was the question; I would like an answer, sir.

**The Hon. K.O. FOLEY:** As I have said, the Queensland government has taken a decision—which no other state, from what I am advised, has taken—that they have an 8.1 cents per litre subsidy in that state. It did not have a state tax on petrol prior to August 1997, so therefore provides a subsidy equivalent to the full 8.1 cents per litre excise surcharge. I will get an analysis done on the point that the shadow transport minister is attempting to make. But in the lead-up to a state election the media in this state in particular have a responsibility to put the opposition under some degree of scrutiny, because a 5 cents per litre subsidy, if that is the order of the subsidy that the member proposes, is a \$132 million subsidy. If he wants a 10 cents per litre subsidy, the figure is \$265 million. The shadow minister for transport has



no credibility. He was a woeful minister and he would bankrupt the state if he ever returned to treasury benches. The member for Mawson threatens the financial stability of this state if he is allowed to continue on his foolish promises that he continues to make.

### THE RING CYCLE

**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 production of Wagner's epic, the *Ring Cycle*, by the State Opera of South Australia won glowing praise at the recent national Helpmann Awards, where it won 10 of the 11 categories for which it was nominated, including Best Opera and Best Special Event. The *Ring* was also a major cultural tourism event with approximately 80 per cent of the audience coming from overseas and interstate. According to the South Australian Tourism Commission, the *Ring* generated an extra \$14.2 million for the state economy. That is a conservative estimate. The opportunity now exists for South Australia to build on the success of the 2004 production of the *Ring*.

I can announce today that the South Australian government, through Arts SA and the South Australian Tourism Commission, will commission a study into the feasibility of reprising the *Ring* in Adelaide and its possible longer term future as a major event on South Australia's and Australia's cultural tourism calendar. The future of the *Ring* in South Australia will depend critically on a shared commitment between the Australian and South Australian governments on all elements of any future production. I acknowledge the bipartisan support for the *Ring* in 2004 and the continuing interest in the federal government, through the Minister for the Arts (Senator Rod Kemp) and the Minister for Tourism (Senator Fran Bailey), both of whom I met recently to discuss our proposals. I also acknowledge the State Opera of South Australia for again proving its versatility—this time with an impressive 2005 program featuring the sell out success of *La Boheme*. The government wants South Australia to continue to win audience and critical acclaim and to offer new productions to South Australia. That is why a loan of \$500 000, which was associated with the *Ring* and which was due to be repaid to Arts SA, will be converted to a grant so that State Opera can develop new productions over the coming years.

### GRIEVANCE DEBATE

#### WASTE WATER

**Dr McFETRIDGE (Morphett):** I am glad that the Minister for Environment and Heritage is still in here, because some 18 months ago—I do not have the exact date of the press release I put out—we were wasting over 18 000 swimming pools of treated water going out to sea. I was talking about the Glenelg waste water treatment plant, where millions of litres of sewage was being treated and the water was being pumped out to sea, with a minor part of it being reused and recycled on local sporting grounds. The minister made an announcement then about increased reuse of that

water. Just as we had a reannouncement yesterday on rainwater tanks, we had a reannouncement not long ago about the reuse of water from the Glenelg sewerage works.

I should say that there was one interesting part of that reannouncement which slipped through as something that was brand new and which has probably gone under the radar of the Adelaide City Council; that is, the government intends to pump the treated water to the Adelaide City Council to use in the parklands. That is something I would applaud but, unfortunately, when that was offered to the Adelaide City Council previously, it decided it would not do it because of the cost of infrastructure to water the parklands. I do not know what the government will do this time, but I digress from the main point of my grievance.

The issue of reusing the waste water from the Glenelg treatment plant is something I have been championing for quite a while. I was absolutely staggered to see that the users of that water, namely, Adelaide Shores (which uses it on all its playing fields, including the golf course), the Glenelg golf course, the Kooyonga golf course, the Glenelg Baseball Club, the showjumping club and Holdfast Bay are using B-class water, which can be used only at night. Obviously, it is not fit for human consumption and people should be avoiding contact with it.

The users of that water have been put on notice that the water will no longer be available. The water that will be put out by the Glenelg waste water treatment plant will be A-grade water. That water has been sold off to Adelaide Airport Limited for use in all recycling, the toilets and other areas where non-potable water can be used. I applaud Adelaide Airport Limited for its forward looking attitude here and its practical approach to implementing the use of recycled water in the new fantastic airport development. In fact, I was there on Friday to have another look. It is coming on exceptionally well, and I am looking forward to the Prime Minister opening this private industry development on commonwealth land on 7 October.

What has happened as a result of the South Australian government selling the water to Adelaide Airport through SA Water is that Adelaide Shores is now being told that the price for it to buy this water has increased by 2 000 per cent. It was point something of a cent per kilolitre and I think that in three years' time it will be nearly 45¢ a kilolitre. The big problem is: where will the water come from for watering the playing grounds and the golf courses? It is not happening. Glenelg golf course, which was a big user of this water, is now working with the Patawalonga Water Catchment Management Board to build wetlands and retention and detention ponds and to put down bores so it can store some of this water in aquifer storage and recovery. It will cost \$300 000 to do that but it is still cheaper than buying water from SA Water, with its 2 000 per cent increase in price.

The interesting part was that Adelaide Airport said to SA Water, 'Can you give us some sort of assurance that we will have this water all the time, because we obviously need to have it all the time?' SA Water's astounding reply was, 'Oh, not a problem. If the A grade water is not there we will just give you mains water; whack that through there.' So, it will shandy or supply potable mains water at cut-rate prices to Adelaide Airport Ltd if it cannot supply the A grade water. There are two lessons here. We are still wasting B grade water, which is going out to sea. Millions of litres are going out to sea. There are users who will use it there. The former users are being penalised because they cannot afford the prices that are being charged to Adelaide Airport. Obviously,

there is a commercial deal there. As I said, this is no reflection on Adelaide Airport. I congratulate it on its forward looking attitude. However, SA Water has completely mismanaged the use of waste water in South Australia.

### TRAFFIC MANAGEMENT, MODBURY

**Ms BEDFORD (Florey):** No other issue has been as constant through my time in this place as traffic management matters in the Modbury regional centre. The petition I tabled in the house today is an indication of the importance that my constituents place on road safety. It will be the first of many tablings, as petitions are constantly being sent back to me since it began circulating. I would like to acknowledge the existence of James Quast of the *Leader Messenger* for his stories since what could have been a much worse accident at the intersection of Smart Road and Reservoir Road on 23 June this year. Mrs Mildred Machado is 80 years old and was bowled over while walking across Smart Road, one of 30 accidents at the intersection since January 2003.

In some ways, that is part of the problem, because unless there is a fatality at the intersection it will not gain the notoriety of other large dual carriageway roundabouts in Adelaide. In Modbury our roundabout has earned a reputation in much the same way: lots of traffic negotiating the mysteries of dual carriageways, often, it seems, on a wing and a prayer. However, what I think separates our situation is that a large number of pedestrians use this roundabout along with the cars. It is a continual source of concern to me that drivers often seem to forget that they are pedestrians when they are not driving their cars.

My local residents have to cross the intersection to access the services of government agencies such as the Housing Trust, Centrelink and the motor registration office, which are some of the busiest offices in the state. They also need to access the RAA, several banks and financial institutions, the Modbury Hospital, the specialist medical services and the community health services along Smart Road. Among the many retail outlets in the Modbury regional centre is the second largest Westfield site in this state, Tea Tree Plaza. We also have the Modbury Triangle and retail shops along North East and Smart Roads from the intersection of Wright Road up to Golden Grove Road intersection and the seat of local government in our area, the council chambers of the City of Tea Tree Gully and all its services, including the library which, again, is one of the busiest outside the CBD. We have considerable pressures on this regional centre and an urgent call has gone out for assistance to establish the best way in which to deal with the problems in the Modbury regional centre.

The visit to Florey by the community cabinet was not only timely but also well received. There have been many visits by ministers to the electorate, and I would particularly like to thank the Premier and all the cabinet, who gave so generously of their time. Dozens of community groups and individuals have indicated how important they felt it was to have access to the Premier and ministers and how much they enjoyed speaking to them about our local issues. Community cabinet is a wonderful innovation that they greatly appreciate. It is an important way to make parliament relevant to people who have never really taken an interest and who now have a better understanding of how they can influence and participate in the process.

I was particularly grateful to the Minister for Planning and his staff for visiting the roundabout site in question. We now

are working to secure funding for a study of the best way to address the many unique traffic issues at Modbury. I would also like to acknowledge the work of councillor Kevin Knight of the City of Tea Tree Gully who has taken up the issue and shares the vision of future planning to serve our community well into the future. SAPOL, too, are playing an important role and Senior Sergeant Dennis Schilling sent a representative to the meeting on site. I know SAPOL will work with us to ensure the best possible outcome.

As I move about the community, so many people tell me they avoid the intersection at Reservoir and Smart Roads at all costs. There are, of course, many views on how the area could be improved and all agree that an integrated approach to traffic issues in the whole Modbury regional centre is what is needed. The petition will firmly place this issue at the forefront of priority planning and work scheduling in this area. Other work has recently been undertaken along Montague Road—itself the subject of future planning. The Montague Road intersection with McIntyre Road has been the site of an upgrade that will see traffic move more efficiently through this intersection.

The safety of pedestrians is vitally important and I will be working with the community to make sure we get the best possible outcome for them and also the many hundreds of drivers who negotiate our regional centre roadways each and every day. Civic Park is part of this environment, it is necessary to remember that this area is used for both business and recreational activities as each weekend, particularly in the warmer weather that is fast approaching, families and groups use the park and access the library that will soon house our local toy library. The toy library is one of the oldest in the state and through another exciting collaboration between this state government and the City of Tea Tree Gully it has found a new permanent home in the library facility itself.

Modbury is benefiting in many important ways and I look forward to further exciting announcements in the not-too-distant future about changes for the better in the Modbury Regional Centre that will benefit our local community and provide much better facilities in the north-eastern suburbs.

### ROADS, GOYDER

**Mr MEIER (Goyder):** Shortly after we lost office back in 2002, I wrote a series of letters to the then minister for transport who at that stage was the Hon. Michael Wright, seeking information on various road projects that were either under way or were planned in my electorate, and those letters were dated 22 March, 2 April and 3 April 2002, and on 29 October, quite some months later, I got an answer back from the minister and it did not give me any cause for high hopes that projects that perhaps had already started or were planned for would continue. In fact, I have continued to push and lobby over the years for some of these projects and, unfortunately, unsuccessfully. My way of thinking came to be, 'Right, the Labor government is intent on not spending any real money in regional areas,' and I thought, 'How on earth are they going to get away with this when the next election comes some four years later?' We are now within six months. So it did not surprise me to today to see a major headline in *The Advertiser*: '\$70 million to be spent on highway black spots', and I thought, 'Surprise, surprise. Three and a half years of inaction and it looks like we might see six months of potential action.' I am disgusted at the way this government has handled the regions and the lack of road maintenance.

If I could just refer to one specific one between Port Wakefield and Kulpara. The former Liberal government had not only earmarked the money but the former Liberal government had actually committed the money to upgrade that road and the road was fully upgraded to the turn off to Yorketown, in other words Wild Dog Hill Corner, and then I think it was just before we left office the next section, which would be about probably a kilometre, maybe two kilometres, because it was a trial section, as minister Wright's answer identifies, was done, and then we lost office. I thought, 'Right, it will be another six months or so.' In fact, minister Wright's letter says (and I will quote from that letter dated 29 October):

A trial section of 350 metres was constructed adjacent to the Port Wakefield/Yorketown junction. Over the coming months, the performance of this pavement will be closely monitored. If the trial is successful, this method will be continued for stage two.

So, way back in 2002 the minister said, 'We will give it a few more months and, if it is okay, we will continue.' From memory, a small continuation did occur, but the last three kilometres still needs to be done. I have had two near misses myself on that section. In one case I nearly lost control of my own vehicle, because I was travelling at night and a vehicle with bright lights came towards me and I mistimed going from the new section to the old section, and I was jolly lucky. Another time, a car was passing and I had to get right off the road and, if I had not done so, probably would not be here today or would have been seriously injured. I know of stories of caravans getting out of control. People with boats have said the same has happened to them. People who drive trucks are absolutely outraged, and we still have not had any action.

The irony is that on 7 January this year, after I took a letter to Trish White from a constituent who had also been pushing for this work to be done, she replied in the following manner:

Construction work on the remaining section of the Kulpara to Port Wakefield Road near the Hummocks is due to recommence in early 2005 and be completed by 30 June 2005.

We have had 30 June, and we have had July and August and are well into September. It is 2½ months and it should be completed, but it still has not been started. I am sick and tired of waiting, and I jolly well hope, at the very least, that in my last six months of office here it will be done, because as a local member it is an embarrassment to be waiting so long after I managed to get a commitment from the previous Liberal government and it was nearly done, then Labor took office and it has never been done.

#### VILLAGE TAVERNER

**Ms RANKINE (Wright):** On 4 May I told this house about a submission that I had sent to the Office of the Liquor and Gambling Commissioner in relation to my concerns about the Village Taverner at Golden Grove and its hours of operation. It operates until about 4 in the morning from Wednesday through to Saturday. I outlined a series of serious incidents that had occurred at the Village Taverner which resulted in my submission to the Office of the Liquor and Gambling Commissioner. I am pleased to say that I have been advised today that a court hearing date has been set for 5 December to look at this issue, and I was very pleased with the support that I received from the Office of the Liquor and Gambling Commissioner, and also the police. However, whilst I am pleased with that news, I also have some real concerns. I am concerned that the actions and the work of the

commissioner and local residents may, indeed, have been seriously undermined by the Tea Tree Gully council.

Following my approach to the Office of the Liquor and Gambling Commissioner, I also approached the police and the council for their support. After all, it was the Tea Tree Gully council that a couple of years ago came to me seeking my support for a dry zone in the area around the Taverner. Initially I was delighted by the response I received from the council. It put up its hand and said, 'We will act as lead agency in the gathering of factual information in relation to the operations of the Taverner.' Council was in the ideal position to facilitate this process of gathering information and, indeed, the legislation provides for its involvement. It was obviously more preferable to have the council do this than to place this onerous responsibility on individuals and for them to be required to write directly to the commissioner and front the court. A detailed and well-researched case presented by the council would also have a far greater impact. I congratulated the council on its offer, which I knew would also be welcomed by local residents.

Its actions were confirmed in a media interview on 15 July when the mayor stood next to me. She stood shoulder to shoulder with me to have her photograph taken. She confirmed that council would act as the lead agency and I quote from the media story that:

... they would act as lead agency to gather information about problems with the pub's late night operating hours. Gully Mayor, Lesley Purdom, said the council would endeavour to get the evidence from the community about any disturbances near the pub. Statements and guidelines on how to respond would be sent to the community. Mrs Purdom said a collective response from residents would enable the council to present a stronger case to the Liquor and Gambling Commission.

Imagine my astonishment the following week when I received a letter, signed by the Mayor that very day, stating that she had changed her mind. I understand that this was raised at the subsequent council meeting and I heard from media representatives there that she actually said that she signed a letter written by staff members that she had not read. Imagine a minister trying to get away with that! If it was not bad enough that they put up their hands, made themselves out to be good fellows and then turned their backs on our community (they have done it before and I have no doubt they will do it again, so that was no real surprise), but the damage they have done is not just that they have changed their minds but in their motion on 9 August, in which they did their backflip, they also stated that they would not intervene due to 'lack of any supporting information or other valid reason or concern held by the council'. No other valid reason or concern held by the council!

The reports of brawls, sexual assaults, serious assault that led to a death—clearly the council members do not read the paper. Why have they consistently applied year after year for a dry zone but are not prepared to stand up and support their community on this? Not only are they not helping the community, they are now a hindrance. They have severely undermined the support of the police, the Office of the Liquor and Gambling Commissioner and our community. If this case is lost, responsibility lays fairly and squarely at the feet of the Tea Tree Gully council.

#### LOCHIEL PARK

**Mr SCALZI (Hartley):** Today I wish to talk about Lochiel Park. I note that the Minister for Infrastructure is here. I say from the outset that I am finally relieved on behalf

of the community that a decision has been made. It was made in 2003, but finally I believe it, not because the government has announced a decision but because I am aware that the Public Works Committee is looking into this matter on Wednesday. It has had the courtesy of asking me as the local member if I would like to attend on Wednesday and make a submission. I did not have the same courtesy from the Minister for Infrastructure on the fourth of this month or two years ago when he came into the electorate and made an announcement.

**The Hon. P.F. Conlon:** You did nothing but oppose it all the way. You opposed it every step of the way.

**Mr SCALZI:** I have not opposed that. The government has finally made a decision. It has moved from a forgotten project to the rehabilitated project before the state election. That is what it is all about. The election is always on the government's mind. We have a bit of chronology as follows: on 4 February 2002 at a public meeting, which the then candidate for Hartley, Quentin Black, attended, 350 people made a commitment to 100 per cent of Lochiel Park—100 per cent of the 15 hectare site. That is the whole area and that was the commitment they gave at the public meeting.

**The Hon. R.J. McEwen:** What was yours?

**The Hon. P.F. Conlon:** It was 20 per cent.

**Mr SCALZI:** It was 20 per cent of 15 hectares. I will read the Premier's letter to the community. The Premier said:

Quentin Black has negotiated with myself and Kevin Foley that if a Labor government is elected this Saturday:

- we will place a one year moratorium over the Land Management Corporation's plan to develop Lochiel Park, immediately halting housing development
- in that time, Mr Black will chair a thorough community consultation process with local residents, community groups, council and key stakeholders to decide how the space can be best preserved and used for the benefit of everyone in the community
- we intend to save 100 per cent of Lochiel Park for community facilities and open space, not a private housing development as the Liberals have proposed
- Mr Black will work with local open space, community and sporting groups to plan how 100 per cent of Lochiel Park can be revitalised, so that the whole community can benefit.

Why did that commitment not extend to the elected member for Hartley? Instead, the minister had a meeting with the candidate, not the local member. I was not informed at all. Indeed, I wrote to Mr Eastick, the Project Director, Lochiel Park and said:

I have been advised that the development of Lochiel Green Village project has been referred to the Public Works Committee. Could you please provide an update for my information? I require this prior to my submission presentation on this issue. The project has been scheduled for examination on 14 September at 11 a.m.

The answer I received today states:

I refer to your email dated 9 September. Please address your request for any information to minister Conlon. Thank you.

I have asked the minister on many occasions to involve me. It is all about politics. In 2002, 20 per cent was given to the council. What will happen to the upkeep of the wetlands and the urban forest? Will the minister assure me that the costs will not be borne by the ratepayers of Campbelltown?

**The Hon. P.F. Conlon:** He does not want us to do it.

**The SPEAKER:** Order!

**Mr SCALZI:** I have a commitment which I supported in principle, but I want those questions answered and I want to be involved as the local member.

Time expired.

## PADDOCKS NEIGHBOURHOOD HOUSE

**Mr SNELLING (Playford):** During the parliamentary break, in my electorate the Paddocks neighbourhood house celebrated its 25th anniversary. On Friday 22 July, I had the honour to open an exhibition commemorating the 25th anniversary of the opening of the Paddocks neighbourhood house. There is no better way to mark a silver jubilee than by having a trip down memory lane, guided by an exhibit of memorabilia from those 25 years. There are a lot of memories of people and programs that have meant so much to the people who live in my electorate. The Paddocks has been a very important part of my electorate since its opening in 1980, and it has seen thousands of people benefiting from the huge range of programs and activities that have been run over the years.

Of course, it is not just the range of activities and facilities that are available at the house that makes it such an important part of life. The camaraderie and support, all the friendships and the sense of community that makes the Paddocks such a positive place, enriches lives and keeps people coming back are really what it is all about. As the revered house coordinator Jennie Clayton says, 'You will always hear laughter at Paddocks.' Everyone who has been associated with the Paddocks over the years deserves congratulations, admiration and thanks. It must be noted that everyone, except for the part-time coordinators, has been a volunteer. The amount of voluntary work that has gone into managing, running programs and tutoring, fundraising, maintenance and so on is staggering.

The Paddocks is living proof of the value of voluntarism: it brings communities together and makes South Australia a richer place culturally, socially and economically. The 'Advancing the Community Together' partnership that was signed in 2003 and continues to bring many benefits illustrates the government's commitment to the volunteer sector. Many of the people who have given so much are featured in the exhibition that I had the opportunity to open. I refer to people such as the current management committee chairperson Cheryl Denny, who has been involved at the Paddocks almost from day one; Wednesday's tea ladies, who have been part of the Paddocks family since opening day, Rene Redhead and Mary Lapwood; and then there are such Johnny-come-latelies as Rene and Mary's colleague, Olive Jasiorowski, who has been at the Paddocks for only 18 years. New people are becoming involved and making a contribution, and the Paddocks Neighbourhood House goes on, just as their new motto says, continuing 25 years of friendship and support. My congratulations to all those people involved in the Paddocks Neighbourhood House, both now and in the past, and those who will become involved in the Paddocks in the future.

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## PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

**Mr MEIER (Goyder):** By leave, I move:

That the Hon. Dorothy Kotz be substituted on the committee in place of Mrs Isobel Redmond, resigned.

Motion carried.

**SELECT COMMITTEE ON THE STATUTES  
AMENDMENT (PARLIAMENT FINANCE AND  
SERVICES) BILL**

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** I move:

That the time for bringing up the committee's report be extended until Monday 28 November.

Motion carried.

**LOCAL GOVERNMENT (FINANCIAL  
MANAGEMENT AND RATING) AMENDMENT  
BILL**

Adjourned debate on second reading.

(Continued from 3 March. Page 1893.)

**Dr McFETRIDGE (Morphett):** I indicate that I am the lead speaker for the opposition on this very important bill. It was rather interesting today to find in our letterboxes and pigeonholes a sample of a pencil holder that is being distributed to children to explain the three tiers of government that exist in Australia. The state government is in purple and orange and the federal government is in green and gold, while local government is in two shades of orange.

I do not think there is anything in the colours, but I think the roles that are given to the three tiers of government on this little pencil holder provide a good example of the levels of responsibility but certainly not the full spectrum of responsibility. For example, local government key services include recycling, sport and recreation, libraries, local roads and footpaths, and immunisation. That is a little bit more than roads and rubbish, but it is certainly not quite what local government is about nowadays, as we all know. I commend the Education Officer, Ms Penny Cavanagh, for giving members one of these pencil holders.

*Ms Breuer interjecting:*

**Dr McFETRIDGE:** I understand that all members will get one. They should have a quick look at them, and I think they will be very useful on our desks in here.

The Local Government (Financial Management and Rating) Amendment Bill has been about for a while; there have been drafts of it around the place. The roles and responsibilities of local government and how local government is able to achieve its purpose in life, how it is able to implement its roles and responsibilities, have been very topical for a number of years, particularly the rates that have been levied by local government. This bill is aimed at reducing the rates burden on ratepayers. I will speak a little more about the aim of the bill and related issues because, while we are not opposing the bill, the opposition has a series of amendments which I understand have been accepted by the government.

I understand that each and every member of the opposition will be having a bit to say on this bill, because local government is a very important part of being a member of parliament. The bill is aimed at clearing up, improving and strengthening the accountability and flexibility of local government in raising funds, as well as making it amply clear to ratepayers why councils are wanting to raise those funds. However, I do not see anything in the bill that will drop rates. It may slow the rate of increase but, certainly, it will not drop the rates at all. In fact, some councils, as I will point out later, argue that, in some cases, the imposts in implementing some

of the prescriptions in this bill will cost hundreds of thousands of dollars over a number of years.

I am not here to denigrate the minister and the government for introducing this sort of bill: I am just disappointed that there is not any real rate relief in this sort of legislation. I know that the government will leave itself wide open if it targets councils for what they are raising in rate revenue at the moment and taking advantage of the need to raise extra money for the increasing levels of services through rates because, at present, they are under extreme pressure. Certainly, the state government makes local government look like absolute amateurs when it comes to raising money, whether it is by rates or other methods. The state government is raising over \$8 million in state taxes a day—property taxes, gambling taxes, payroll tax, motor vehicle taxes, insurance, traffic fines and mining royalties. It is a lot of money—\$8 million a day, according to last year's budget papers. Local government cannot do anything like that. In fact, it is reasonably limited as to how it is able to raise funds. I will discuss the ways in which it can do that later, but more than 70 per cent of councils' finances are obtained by rating their ratepayers each and every year in an attempt to deliver more services.

In a ministerial statement dated September 2004 and headed 'Council rates—response to public concerns', the minister said in relation to this proposed bill, 'The amendments will provide relief to ratepayers.' As I said, I do not think that will happen. I wish it would be a result of this legislation, but I think that, while the pain may still be there, the way in which that pain is inflicted upon them might be a little clearer and, perhaps, easier to understand. Whether it will lessen the pain, I do not know. Certainly, there is an opportunity to look at service delivery by local government, but I will talk about that a little later. In his ministerial statement, the minister said, 'My proposed legislative amendments will ensure that councils take full account of the likely impact of their rating decision on the ratepayers, especially those with fixed and low incomes.' I know that councils are well and truly aware of that. The Charles Sturt Council's 'pain index' is a good example of a council's intention to try to minimise the impost of rates on individual ratepayers and the community generally.

The minister further stated, 'In recognition and respect for local government as an independent sphere of government carries with it the requirement that councils make themselves responsible and accountable to their electors for the decisions they make individually and collectively as councillors.' I think most councils are doing that. Some councils are not doing it as well as they should or as well as they might. Certainly, I think that this bill will force them all to lift their game. However, I do congratulate the vast majority of local governments that are doing their very best to try to make sure that every ratepayer understands why they are paying their rates. It is not just for roads, rates and rubbish nowadays; it is for far more than that.

In his statement, the minister made one very important point, and I will talk about that later. Historically, there has been an underinvestment in the community infrastructure for which councils are responsible—for example, local roads, stormwater drains and bridges. Stormwater infrastructure alone needs \$160 million for upgrading, \$100 million of which is urgently required. At Holdfast Bay, the King Street Bridge is in urgent need of repair. I would like to work out what percentage of motorists using the bridge is locals. In addition to the locals and other traffic going along the coast,

the bridge is used by all the people from the south going to the Crows matches and any other matches at AAMI Stadium. The cost of repairing the bridge for the 31 000 ratepayers in Holdfast Bay is \$9 million, and that is a lot of money for one fairly small council to cope with.

The federal government has come to the party a little in relation to local roads in South Australia and is providing extra funds. It has acknowledged the fact that, historically, South Australia has been duded on road funding, and I will talk a bit more about that later on as well. In his statement made in the house on 14 September 2004, the minister said:

Nationwide, local government today faces many more challenges than ever before. It is heavily dependent on property taxes as a revenue source while, at the same time, it is expected to provide an ever widening range of services and programs.

On the little pencil case provided, it states that it will provide five programs—from recycling to immunisation and libraries. The full list is far longer than that and includes waste management, planning and development, stormwater, sport and recreation, parks and landscape, street lighting, footpaths, local roads, public health and safety, libraries, street trees, dog management and parks, and the list goes on. It is far more than just the roads, rates and rubbish we used to think about.

Local government is doing an exceptionally good job at trying to manage all these assets with a very limited revenue base. Unfortunately, as we have seen from local government's independent report on the financial sustainability of local government, some councils are doing a much better job than others. The report states that 26 of the 68 councils in South Australia were seen as grossly financially unsustainable, and I will talk about that later on in my contribution.

We are all here to support local government as an independent sphere of government, and this bill will go some way to making sure that local government is doing its fair share to explain to taxpayers (as rates are a form of tax) why they are having to pay ever increasing rates. I do not say they always have to pay ever increasing rates, as my council rates went down this year. I know that in many cases, where councils have been able to work diligently and reduce the impost on council rates, householders and ratepayers have received a drop in their rates. Generally, however, there has been a significant increase in the amount of rates paid by ratepayers across the state. In his statement, the minister said:

A critical project that state and local government sectors have worked collaboratively on in 2003 and 2004 has been the Rating Improvement Project. The purpose of this project was to provide councils with new and better analytical tools necessary to understand and respond to rating issues, particularly the challenges caused by large and uneven property valuation increases in recent years.

This is what I have been talking about, and it is certainly good to see that both sides of the house recognise that councils are trying very hard to grapple with some of the problems. The minister said:

... it is clear to me that more must be done by councils to ensure that the impact of rates does not fall unfairly on those ratepayers with limited incomes and limited capacity. . .

We have all heard about the so-called asset rich and income poor, and it is not just 'so-called', as many cases have been identified where people have lived in a house for many years and the profits have not been realised on the increased values of the home, and so you are really taxing unrealised profits. That is an issue that councils and state governments have to cope with. Certainly, the state government at the moment is

reaping millions—about \$3 million a day—in property taxes from increased land values. The minister continued:

The state government will not usurp the fiscal responsibility and authority of local government.

Is that one way of saying that the state government is no longer going to dip into Treasury and help out local government in South Australia? The Local Government Association has been saying for a long time now that the South Australian government is funding local government at the lowest rate per capita of all the states in Australia, including Tasmania. The Liberal opposition will be looking at that, talking to local government about what we can do to assist it, because at the moment the current government does not seem to be doing a whole lot to assist local government in that way. In his second reading explanation on 3 March 2005, the minister said:

The bill's objectives are to strengthen and improve accountability and flexibility and strengthen requirements relating to council rating decisions. In particular, the measures will introduce further improvements to council processes for long-term financial planning, require greater transparency and public consultation in the adoption of annual business plans and budgets and declaring rates. Importantly, councils will be required to consider the impact of their rating decisions on ratepayers. This requirement formalises a process that many councils already follow . . . the bill also highlights the role of the South Australian Ombudsman in making sure that council decisions about rates impact fairly and justly through their communities.

One of the amendments to the bill is to increase the role and range of inquiries that the Ombudsman can make into local government. I hope that is something that actually will happen, because the Ombudsman at the moment appears to be severely overworked. The government strongly believes that councils should not be fettered in raising the necessary revenue to fund maintenance and replacement of infrastructure, but they should be responsive to overall community demands and mindful of the impact of their rating decision on the ratepayers and the relative ability to pay of those with limited incomes. That is saying that there is a huge range of maintenance and replacement of infrastructure that needs to be budgeted for.

As I said before, stormwater was about \$160 million and about \$200 million in roads and road backlog maintenance needs to be undertaken in South Australia. The minister's second reading explanation continues with new section 128. I understand that there are some amendments coming in, although I do not think they affect section 128. The minister stated:

In relation to individual rates liability, the bill will equip councils with additional flexibility to give relief from rates in appropriate circumstances over and above any concessions they may be entitled to. State Seniors Card holders will have the right on a non-concessional basis to postpone all the council rates otherwise payable.

At the moment, a number of councils do allow their ratepayers to postpone their rates and capitalise their rates, so that when the property is sold or when the owner/occupier dies the council is able to get those rates. The capitalisation of rates does have a downside. If the compounded interest on that capitalisation of rates does, for some reason, equal or is less than the capital gains on the property, then whoever inherits the house (or if the person sells the house) may be severely penalised financially. The issue of reverse mortgages is one I have spoken on in this place, and this is a form of reverse mortgage.

I have spoken to mortgage brokers about reverse mortgages and they assure me that the ethics applied by the

mortgage broking industry and the financial planning industry make sure that people who enter into reverse mortgages—which are similar to capitalisation of rates where, instead of the money going to offset their rate bill it is used for other purposes that the owner/occupier might want—the financial management providers and the mortgage brokers assure me that they are working very carefully to make sure people understand exactly what they are in for and that there will not be any surprises at the end of it.

We did actually look at one case where the capitalisation or compounding of a reverse mortgage resulted in an over 200% interest rate on the amount that was borrowed against the property. I hope that will not be the case when people capitalise their rates.

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

**Dr McFETRIDGE:** Before the dinner break, I was talking about some of the imposts this bill puts on councils and the possible costs of implementation of some of the things councils will now need to undertake, such as the long-term financial plan for a period of at least 10 years and an infrastructure and asset management plan relating to the management and development of infrastructure and major assets by the council for a period of 10 years. The council will need to have a strategic management plan for a period of at least four years, and the annual budget and annual business plans will need to be far more thoroughly exposed to public scrutiny, which is a good thing. It is a good thing that local government is in touch with its community, and I know that nowadays most local governments try very hard to keep in touch with all the members of their community and to truly represent the desires and wants of their community. Unfortunately, one of the problems is that in a lot of cases councils have taken on a lot more than they can pay for.

The need for public consultation is mentioned in the bill. There have been some changes in the need for repeat public consultation when drafts of annual business plans and budgets have gone out, and that is a good thing. After it has been out once, I understand that it will be available on the internet. So, there will be plenty of opportunities for public scrutiny.

At the moment, the main area of concern out there in the community is the need to scrutinise what local government is doing, as well as the pain that some people are suffering in paying council rates. The bill provides for annual audits. I have spoken to some council auditors around the place, and they are more than happy with what has happened in the past. However, I think there is a need for an opportunity for a forensic audit if there is considerable disquiet in the community about how councils are handling council funds and the direction councils are taking. The Auditor-General's coming in here is something I do not think is required. Some people have said that it may be a job for the Auditor-General to come in and look at what councils are doing and to scrutinise where they are spending their money. There have been instances where councils have put aside millions of dollars to build, for example, new council chambers or, in one case, a memorial, much to the displeasure of a considerable number of ratepayers—whether they are the majority of ratepayers in council areas is open to debate.

If there is an issue of concern to ratepayers, there should be an opportunity for another form of audit, rather than just the Ombudsman doing it; as I have said, he is overwhelmed with requests to investigate various matters all around the state in relation to all sorts of issues. We have proposed a

panel of auditors who could come in and carry out probity audits—and I understand the government is taking this up with a slight variation of theme. These auditors will be selected by a ministerial panel—it will be selected by the minister and the LGA. The auditors will then be able to go in not more than twice on consecutive years to look at what councils are doing with their money.

Another change in the bill is the widening of the description of service rates and service charges. This is another area where councils can certainly collect money at the moment, and it is fair to say that we need to review the areas where councils can raise funds. It is not a bad thing to look at councils being able to charge for a particular service whether it is the delivery of, say, a television service, a telephone service or some other service where they impose a special service charge. I do not think that anything is wrong with that.

As to the remission and postponement of rates, as we have talked about before, I understand that some amendments are coming in, which will be interesting to see. The postponement of rates is typically attractive to everybody, but the crunch comes when you have to pay off those rates in the end. I know that the minister is well aware of the issues of local government, not only in his position as minister but also from his long history in local government. In fact, he was in local government in Mount Gambier before his parliamentary career.

It was interesting that, in 1999 in his speech on the local government changes being introduced then, the minister said that it was worth reflecting on the fact that local government and state government interface in at least 64 pieces of legislation. I know that, when I was given the portfolio of the shadow minister for state/local government relations, I was amazed at the amount of legislation where state and local government interfaced. In his speech on 9 March 1999, the minister stated:

[It is] a time when economic rationalists have ripped the heart out of rural and regional Australia, at a time when both State and Federal Governments have triggered a stampede of services out of regions, in many of them all that is left is local government.

This is true. It has happened all around Australia and, particularly, in South Australia. In a number of cases local government either by intent or, in many cases, by default has had to take over services that would have been delivered by another sphere of government. That could have been because the federal and state governments have said to local government, 'Here is a service that we figure you can deliver. You are closer to the coalface. You'll be better at it than us.' Councils have been unable to say no for some reason or another, or they have just decided that they want to empire build—I am not sure; the arguments are varied on that. There is a real need to look at what is happening with local government and the types of services that it is being increasingly expected to deliver.

It is interesting to see that in that speech the now minister talks about cost-shifting, and that is an area that I would like go into a little more, because behind all of the pressures that have brought this bill to this place is the cost-shifting that has gone on between federal and state governments to local government. There are many examples of it, including the Hawker report that was released by the federal government a number of years ago, and we received the response from the federal government just recently. It illustrates the levels of duplication between federal, state and local government. I understand that it is about \$20.2 billion a year across

Australia. That is an area that we need to look at but, more importantly, for councils some cost-shifting has occurred in everything from bus shelters to libraries to planning, and it goes on. I will give some examples of that later on.

The need to recognise the pressure that councils are under and what this bill may do to them is best illustrated by a letter from the Local Government Managers Association dated April 2005. It talks about the draft bill, but it also illustrates some of the concerns about the costs of implementing long-term management plans, not that that is something to be avoided, because of the cost of doing it, but because we need to make sure that, if you take on extra services, you will be able to manage them over periods of time in a sound way, which is obviously unavoidable and desirable.

The Local Government Managers Association illustrates the costs of implementing the plans that were in the draft bill and, while these costs probably have reduced somewhat with the final bill, and the fact that the strategic management plans, the annual business plans and the other requirements will be implemented over a number of years, it will not be a one-off cost or an initial set-up cost in one year: it will be over a number of years. It talks about the costs associated with implementing these plans (the compliance costs) which vary from council to council from \$60 000 to over \$250 000 in some cases.

That is a significant cost to any council whether it is large or small. I think the minister is well and truly aware of that, and I think the Local Government Association and the minister have had discussions on ways of overcoming that. The role of government, though, is set out in the act. The principal role and functions of a council are all in the act. When you read that, under chapter 2 of the act, and then look at what some local governments are now delivering and the service areas they are getting involved in, it is really quite amazing that more and more councils have not said no as to the types of services they feel they can take on and deliver, because, if we go back to the sources of funds for local government, 70 per cent of their funds are from ratepayers.

There are other examples of where they can raise funds, although it is not like state government and the broad spectrum it can raise funds from, and certainly we see evidence of that in the budget papers we quoted before, raising significant funds in property taxes particularly. The local governments cannot do that, but they can impose rates and charges in accordance with this act. They can borrow money, and not many councils are doing that. I have always been one who is not afraid of good debt, and you have to be able to manage that debt, so these long-term financial plans, business plans and strategic management plans are certainly needed if they are going to start borrowing money.

Councils can sell property, they can lease or hire property, and they can obtain grants and other allocations of money. The commonwealth grants do help and state government grants do help but, unfortunately, the current state government is not funding local government to anywhere near the extent we feel it should. They can carry out other commercial activities, that is, delivering services on a commercial basis, and they can recover fees charges, penalties or other money payable. If you go down to Holdfast Bay Council, the parking fees down there are just horrendous. I am having a continual battle down there with the parking inspectors, but the council is raising significant fees there. I understand that last year with the Royal Show the Unley council raised \$64 000 in parking fees in a week. I suppose that is one way of raising fees if you are under the gun, but it does seem unfair and

inequitable in some cases. The rates and charges that the councils are levying in general rates, separate rates, service rates and service charges are, as I said before, the main way that local governments are getting their money.

As to the Local Government Association's attitude to this bill, there is majority support for the intent this bill. It has had some amendments that it has lodged with the minister. I understand that some negotiations have been undertaken, and things are progressing quite nicely. We were going to be presented with some amendments that should suit everybody's desired direction. It may not be the desired outcome, but let us hope it is.

The paper that was produced by the Local Government Association in August 2004 on resourcing council services certainly illustrates some of the pressures that councils have been under. The comparison between the tax rate and property valuations is illustrated in its resourcing council document. Councils argue very cogently that their rate in the dollar has decreased in relation to the skyrocketing valuations. However, what I have not seen in here is evidence of how they are coping with the large leaps in valuations of some properties, particularly beachfront properties. That is where councils are in a bind, because, while they are trying to raise funds for all the services they are now delivering, they just have not been able, other than trying to offer rebates and caps, to reduce some large leaps in local government rates. But future spending is something that this bill should help councils plan for. As I said before, it may not reduce rates, but hopefully it may slow down their rise in the future, because I think that unless other spheres of government can step in and assist—particularly the federal government, with the huge resources they have—local government will still be under the gun.

There was an increase in funding in the recent August 2005 announcement by the federal government of funding for local government in South Australia. The Australian government is putting in \$1.617 billion nationally in assistance to local government, with South Australia receiving about 7 per cent of that total. These grants were untied, so councils can allocate the funds they receive according to local priorities, and this is where the plans that are being mooted in the bill will be worthwhile; 10-year plans certainly do allow for long-term strategic planning, not like the four-year council terms that we now have. Councils in South Australia have also received an extra \$26.25 million in road funding over, I think, five years, and that is to be welcomed.

A lot of money is being put into the various grants that councils are getting in South Australia; \$121 975 907 in total cash payable in this state alone, when all the grants to local government that are being given by the commonwealth via the state government are added up. The need to fund local government cannot be over-emphasised. In the Hawker Report on a Fair Share of Rates and Taxes for Local Government way back in 2002, the state government (I think it was Minister Weatherill at the time) certainly put in a comprehensive submission, and the federal government's response to that report acknowledged some of the issues that were raised by the South Australian government at the time—and it certainly makes very interesting reading.

The report handed down in June 2005 by the federal government in response to the Hawker report contained 16 recommendations, including forming a committee of state and territory premiers or chief ministers and treasurers with local government to develop a federal/state inter-government agreement to look at the roles and responsibilities of local



government in delivering federal and state programs, and to look at the allocation of funds and resources from federal and state governments to local government in order to fulfil its responsibilities. Importantly, it also looks at expected performance and funding responsibilities at all levels of government. The strategic management, infrastructure and annual business plans that are intended in the bill will smooth the process for any committee that looks at the future role and funding of local government by federal and state governments and their interrelationships and will, hopefully, eventually allow local government to cope with the increasing demands and shrinking finances that they have had to cope with in the past.

Recommendation 13 is interesting (although it is probably a bit ominous for some), and talks about assessing the efficiencies of council amalgamations. Way back in 1999 the minister gave a speech in parliament about the changes in the local government act, questioning the efficiency and efficacy of amalgamations and how they had, in some ways, disenfranchised local communities.

There have been some interesting speeches on the motion before the house about the effects of council amalgamations, which was put forward by the now Speaker. Recommendation 13 of the federal government (in response to Hawker) questions the need for further amalgamations. While not discouraging further amalgamations, it questions whether or not they are going to assist in the efficiency of service delivery—and that is what it really comes down to. Councils all over Australia, particularly in South Australia, need to look at whether the council has to actually deliver the service and, if it feels that it has to, whether it is going to benefit from having a service that is being delivered either in a region or from a central place of administration. Obviously you have to deliver the service at the point of service need.

Recommendation 14 is an interesting one for members of state governments. It states:

The committee recommends that the federal government continues to develop partnership arrangements with local government on the delivery of federal programs and service delivery and, as appropriate, engage established regional organisations or councils, or similar regional bodies which have demonstrated a capacity for regional planning and service delivery.

That, to me, is an indication that the federal government may be wishing to sidestep the state government and deliver funding straight to local government. I do not know whether that is the thin end of the wedge in trying to get rid of state governments—I would not like to read too much into that. Recommendation 16 talks about the funds to be paid direct to local government. Recommendation 18 talks about the federal treasurer assuming responsibility for the financial relationship with local government. I think all of those look like ways of sidestepping state governments.

There have been discussions in the press about the federal government taking over health and probably some other areas of responsibility. I would hate to see state governments (whether Liberal or Labor) being sidelined by the federal government. I do not care who they are other than to say that state government has a role and, certainly, local government has a role. By putting in place a requirement for councils to produce plans, I hope the bill will help to determine the financial requirements and clarify the roles of each of the spheres of government.

I will finish by raising the issue of financial sustainability of local government in South Australia which was produced by the Local Government Association's independent review

panel into financial sustainability. Some of the findings and recommendations are of interest. The key points are:

Of most concern to (the committee) is our finding that the long-term finances of many SA councils are not sustainable, as evidenced by their:

- high operating deficits; and
  - substantial infrastructure renewal and replacement backlogs.
- Independent advice prepared for the Inquiry suggests that 26 of South Australia's 68 councils are in the financially unsustainable category, covering about one-third of the state's population. To me, that is quite a scary position for councils to be in.

It continues:

For these councils, unless their spending is cut or other governments come to the rescue, rates increases—which should always be the last resort—are inevitable.

A further statement in this overview talks about an up to 12 per cent increase in rates to cover the financial operating deficits that some councils have at the moment. It does not seem to matter how big or small the councils are, there are some areas where financial management really has not been what it could have been. The bill should assist ratepayers to see what councils are doing and where the money is going, and ensure that, in future, all local government is truly accountable. If for some reason there are questions still remaining, they can at least go to either the ombudsman—but as I said before I do not think he would have time to do it because he is overwhelmed—or, more importantly, the panel of auditors who can then go in and do probity audits.

It is sad that we have to consider this sort of legislation for local government. While we expect high levels of accountability from local government, unfortunately, when one looks at budget documents, answers to questions on notice and questions in estimates, state government does not seem to be as open and honest as we expect local government to be. If we are going to start to apply these sorts of requirements upon local government, then state government should be looking at what it is doing. A fair question to be asked is: why are we not producing exactly the same sorts of openness, honesty and accountability to each and every taxpayer? In politics perceptions are reality, and the average taxpayer does not know where the money goes; they do not know where the \$8 million a day in state taxes is going; and they do not know where the \$3.16 billion in GST that the state government is getting is going. It would be good if the state government was explaining to taxpayers—as clearly as it is expecting local government to do—where the dollars are going and what the plans are.

It is great to have the State Strategic Plan, but it is not nearly as detailed as that which we expect from local government. It is an area at which future parliaments need to look, namely, where we are going, what we are doing and how we can allow taxpayers—whether local government or state government—to feel they have some control or understanding of what is happening. This bill is a piece of legislation which all councils will deal with. While they may not see any significant reduction in rates, at least ratepayers will understand where their dollars are going. If they do not, they probably will have no-one to blame but themselves. Perhaps I am being a bit harsh, but the vocal minority out there is just a small part of the concern. I would like to think that just about everyone who has concerns would go on the internet or to council to look at the user friendly plans; then the councillors—the volunteers who go on council—will not be looking over their shoulder every time they walk down the street and having to explain every decision made by council as to services and charges.

The opposition will be supporting the bill. I have not yet seen the final edition of the amendments, but I understand from discussions with the minister that the amendments will be those asked for by the Local Government Association, and certainly a version of the amendment that the opposition has proposed. I thank the minister and his staff for their cooperation in briefing me on this bill and I look forward to a smooth passage of the bill.

**Mr O'BRIEN (Napier):** I rise to support this bill. In recent years there has been a dramatic rise in property values and also large increases in most council rates. Not surprisingly, there has been much debate in the community and the media regarding the level of accountability of councils. It has become necessary for the government to deal with these issues. In so doing, the government has drafted legislation that will ensure the community is able to take a more active role in the decisions of their local council. The requirements in this bill will place councils in a better position to fully understand the impact of their rating strategy.

In addition, each council will now be required to improve planning for the future, and develop a long-term financial plan and an infrastructure and asset management plan as part of strategic planning. Councils will be required to address the issues of the sustainability of the council's financial position; maintenance and renewal of council infrastructure; provision of services being consistent with council objectives; anticipated changes in property development and socioeconomic status of the council area; the use of debt; and movements in the major cost drivers affecting council operations.

These requirements will ensure that council decisions are well informed and strategic. Residents will now be involved in the process for determining local priorities and areas of expenditure by their council. In particular, councils will now be required to consult on an annual basis on an overview of the draft annual business plan that will be linked to their suite of strategic management plans. Each council is best placed to determine the consultation process that best suits its area and local conditions. However, at a minimum, councils will be required to place an advertisement in local papers advising residents of the availability of consultation documentation. Those who wish to do so may make submissions to their council before it finalises its annual rating and budgeting decisions.

Many councils have already developed and maintain long-term infrastructure and asset management plans and conduct extensive community consultation. These councils will serve as a model to other councils in this state. This bill is about improving council processes and decision making and ensuring that ratepayers are not faced with unreasonable rate bills and that adequate avenues of appeal and investigation are available to ratepayers, together with appropriate relief measures.

The expansion of public consultation on budgeting and rating decisions proposed in the bill improves the accountability of councils to the community and provides an opportunity for residents to have input into the process. If these provisions are passed in this form, I believe that residents should embrace this opportunity to provide feedback to councils to assist them in making decisions that ultimately affect the communities in which they live. The property boom over the past few years has seen the value of many people's properties rise dramatically.

Many councils have endeavoured to keep the impact of rising property values to a minimum by reducing the amount

in dollars required for rates. However, uneven valuation rises within a council area have inevitably had an input on the level of council rates payable by individual ratepayers. Some people have had their rates increase (or fall) only minimally. The previous speaker referred to what was happening along the beachfront in Adelaide, and this is the converse: many others have seen their rate bills rise by far greater than the average rate rise across the whole council area.

This bill requires councils to consult with the community on the composition of rates and how the rates for the coming year will affect groups within the community. The bill highlights the flexibility that is available under the Local Government Act and also provides councils with further flexibility with respect to rate relief measures. Councils will now be in a position to provide a rebate to an individual ratepayer on the basis that the level of rate payable may be unfair, unreasonable or inconsistent with a rating strategy.

An important feature of this bill is the new payment option available to all state seniors cardholders. State seniors cardholders will now be able to defer part or all of their council rates bills until the sale or transfer of their property, and this is very much in line with some very innovative financial products that the banking sector is putting in place. It is intended that this new payment option will be cost neutral to a council and other ratepayers as interest costs incurred by councils raising funds to cover the deferral will be passed on to the deferring ratepayer.

As the member for Napier, I have people in my electorate who have seen their rate bills increase over the previous few years but have seen little or no change to their income. For example, in suburbs such as Elizabeth, about 25 per cent of the population is 60 years or over, and I think that a large number of areas across the state are in a similar situation. The State Seniors Deferral Scheme may be particularly useful for these people.

There has been some criticism of this bill on the basis that it would impose significant new costs on councils and, therefore, on ratepayers. That criticism is partly wrong and partly right. It is partly wrong because many councils are already observing the standards required by the bill. In 2005 I have noticed that many councils are preparing the draft budgets and annual plans required by this bill. I have paid particular attention to what Playford and Salisbury councils are doing in this respect. They are consulting their community and adjusting their business plans to reflect the outcome of that consultation.

This bill will not increase costs for those many councils that are already achieving these standards. On the other hand, the criticism is partly right because this bill does have the effect of raising the bar for some councils that have struggled to reach appropriate levels of financial accountability. For example, not all councils have long-term plans for the maintenance of their assets such as roads, drainage and buildings. Those councils will be required by this bill to compile an asset register—which is pretty well a pro forma for any business operation in the private sector—and to plan for long-term maintenance of those assets. That sort of change will impose some costs on those councils and their ratepayers. However, the cost of failing to do so will be much greater.

The Local Government Association recently received a report titled 'An Independent Inquiry into the Financial Sustainability of Local Government'. That report pointed out that some councils in South Australia were financially unsustainable, failing to provide adequate funding for the

depreciation of their assets. I think this is a national phenomenon and one that has occupied a great deal of media attention over the last 12 months. I think the nation has slowly realised that we have allowed our asset base in the public sector to run down to the point where an enormous injection of funds is required. What this bill does in South Australia is focus local government on actually taking into account their asset base, the rate of depreciation which is occurring on that asset base and the requirement basically to provide for asset retirement and refurbishment.

In effect, those councils that are not doing this and are not maintaining asset registers and depreciating their assets are passing the costs of asset maintenance on to later generations. That is the fact of the matter at the moment. This generation will have to pick up the tab for the previous two generations that allowed assets to depreciate on a national basis. These councils are allowing infrastructure to decay so that much larger rate rises will be required in the future. Administrators and elected members need access to appropriate information so they can plan appropriate levels of expenditure. Only with proper information and planning can councils succeed in achieving financial sustainability while reflecting the needs and wants of the community they have been elected to represent. The benefits of such an approach clearly outweigh the relatively small increase in associated costs.

There has been much discussion in the media about the use of property values as a reference point for setting council rates. Property values are used all over the world as a tax base for local government. It is generally accepted that land values provide a reasonable indicator of capacity to pay in most circumstances. Property rates are an appropriate tax for local government due to the close connection between the services that councils provide, particularly road maintenance and drainage, and the benefits that accrue to the land within the council's area. Some people have suggested that council rate increases should be capped to no more than the annual increase in the consumer price index.

While it may be appropriate in many cases for a council to limit its rate revenue increases by reference to some independent benchmark, it would not be wise to have all councils restricted in this way every year. Again I look at Playford council which has a fairly significant task in replacing a major public asset, which is its swimming pool at Elizabeth, and in having to do that it is having to up its rate increase above the CPI, because to keep it at the CPI would mean basically they would have to close down a large swimming pool and gym complex which is accessed pretty well across the north. Each community has different needs and the needs of one community can also vary widely over time so that these decisions are best determined locally on an annual basis. Each council will be required to consider the impact of rating proposals on individuals and consider setting a maximum increase if warranted.

In summary, the philosophy behind this bill is to provide the tools to enable local councils and the community to have realistic expectations based on information and feedback on the most appropriate level of services and corresponding rate increases. I have seen the philosophy of this particular bill in operation in the Playford council area in respect to a proposal to increase rates to finance the swimming pool complex. There has been a great input from the local community, a great understanding of a couple of options in relation to the refurbishment or non-refurbishment of this major sporting asset, and I think it has been a great boon for the local community and for local government. I support the bill.

**Mr SCALZI (Hartley):** I, too, will make a brief contribution on this bill. It is important to note that next year we will be celebrating 150 years of state government and that there is a close relationship between the state government and local governments. It is also important to note that we are a federation and that we have three levels of government and three levels of independent government, although there is a close association with the state government, otherwise we would not be discussing this bill here tonight. However, after 150 years, and indeed after federation, many changes have taken place in the way that federal, state and local governments operate, and the relationships, as well as responsibilities of each level of government, have also changed over the years, and legislation I suppose tries to catch up with that fact, and this bill here is no exception.

It is said that the Local Government (Financial Management and Rating) Amendment Bill seeks to address public concern about the level and impact of council rates and the perceived lack of accountability of local councils. However, this bill is substantive and highly technical and does not fully address the problem of rates without really addressing other issues, and the member for Napier has referred to the problem of valuations. Whilst members might disagree on the appropriateness of the evaluations of properties to base rates, there is no question that property valuations have created a particular problem for many of the local governments and the ratepayers. The ability for ratepayers to meet the increasing costs has become a serious problem. Indeed, in areas like my electorate, where you have an ageing population and increasing property values, as indeed has happened with state government charges, the ability for residents and constituents to afford to stay in their own homes has become a problem in recent years. If one looks at someone on an income of, say, \$50 000 or \$60 000 who has a similar asset to a person on a fixed pension or superannuation, it becomes difficult to address the problem of the ability to pay.

Nevertheless, some of the changes that are proposed in this bill that create accountability, strengthen the provisions that require councils to give careful attention to strategic planning, and introduce further obligations to undertake long-term infrastructure, asset management and financial planning which impose new requirements to conduct annual consultations with ratepayers regarding budgets, rating strategies and business plans are welcome. Any measure such as this which increases accountability and openness has to be welcomed, but we must be careful that we do not impose undue burden on local government or threaten its independence.

The minister is well aware of some ratepayers' concerns in some councils—indeed, in my local area—about planning and council budgets. The minister is also aware that, when groups have gone to see him in relation to Campbelltown, he did not find any need to intervene at a state level. I note that the minister agrees. Nevertheless, there is the perception out there that some councils are not doing the consultation that is required. I suppose we will never be able to satisfy all the groups in a community, but these measures will go some way towards allaying and addressing those concerns, and that is to be welcomed.

There is no problem with having a business plan and budget consultation that should inform ratepayers of the level of rates and services that will be imposed as well as council objectives, revenue requirements and proposed expenditure prior to rating decisions being made. I agree with the minister that that is welcome. The bill also provides for the ombudsman to review rate complaints and procedures if the council

is unable or unwilling to resolve a matter within its formal and internal review. The panel of auditors which has been discussed by previous members again is a measure that is welcome because it creates that accountability and openness.

However, no matter what we put in place, there will still be concern unless we address the real issue of valuations. That is no different from the burden that constituents face with regard to the flow-on effect on other state government charges—for example, water rates, electricity rates—

**Mr Brindal:** Sewerage rates.

**Mr SCALZI:**—sewerage rates, and so on. Again, I say we have to be very careful that the community is not overburdened with an impost of rates which it cannot meet. As the shadow minister the member for Morphett has said, the opposition supports the bill with the amendments, about which there have been concerns. The independent report on the draft bill by Norman Waterhouse, commissioned by the Local Government Association, confirms that there are serious reservations still pertinent to the bill. I hope these reservations—such as, for example, the significant resource commitment from each council to meet the new prescribed documentation—are addressed in the amendments. In reality, some councils will be able to do that a lot better than others. We have 68 local councils, but not all of them will be able, equally, to meet the demands of this bill and the changes it proposes.

There are concerns about the reporting obligations of the chief executive officer to sign off on financial sustainability. It will be difficult to achieve consistency in auditing requirements across South Australian councils. Requirements for business plans and financial arrangements already exist under the act, and this places councils in a position of extraordinarily administrative difficulty in relation to rate declarations. Overall we must address these issues. We will not get equal results throughout the 68 local areas, but we must try to address that. The fact that this measure increases accountability and creates greater scrutiny and openness means that it has to be heading in the right direction.

In my local area, one of the concerns that ratepayers have brought to my attention is increasing council rates. I do not think any community welcomes increases in council rates or state government charges. Communities are willing to accept increases when they can see benefits from such increases and when they do not occur at a rate that they cannot meet or absorb. Provision should be made for those who are least able to afford increases so that they can come to an arrangement that enables them to stay in their own home. I note that the postponement of charges will enable those who cannot afford their rates to do that, but that will bring about further problems because eventually those costs will have to be met.

I have difficulty with valuations that do not discriminate in respect of the period of time people have owned their property. For example, say someone has lived in a house for 20 or 30 years. When they first purchased the property, the relationship between the value of the property and their income and ability to service the rates was such that they could meet increased charges without problems. However, if that has changed dramatically (as it has in many parts of my electorate), then it is a problem which has to be addressed. This problem will not be addressed simply by this bill. Eventually, we will have to deal with property valuations. We have to look at alternatives such as CPI and so on. However, at this stage, given the amendments which the opposition proposes (and I know there have been discussions between the shadow minister and the minister), at least the bill is

heading in the right direction in respect of accountability and openness.

**Ms CICCARELLO (Norwood):** I support this bill.

**Mr Brindal:** I am surprised. I am really surprised—

**Ms CICCARELLO:** I am constantly surprised, or I have been particularly surprised since I have been in this place for almost eight years at the fact that many people in this place and in the community have no understanding of the way in which council rates are set. I will not go into detail now about valuations and how rates are set by the councils, but we constantly hear about the windfall that local government has because of raising valuations. People fail to understand or do not want to understand the fact that councils do vary their rate in the dollar and it is adjusted to allow for those valuations. Obviously there can be some small discrepancies in individual cases, but, in the main, councils—

*Mr Brindal interjecting:*

**The ACTING SPEAKER (Ms Breuer):** The member for Unley will come to order.

**Ms CICCARELLO:** No-one likes paying council rates, just as no-one is fond of paying income tax or the GST, but council rates are a fact of life, at least for property owners. From my own experience as a former mayor, I know that councils have a difficult task in setting their rating policies. They must strike a balance between providing the services which residents expect and demand and the raising of the revenue necessary to pay for those services. This task has become more difficult in recent years as property values have risen rapidly and unevenly. Councils are sensitive to the fact that greater property values on their own do not give the property owner any greater capacity to pay; in fact, the opposite may often be the case.

The property owner may be under increased financial pressure due to the fact that they have had greater borrowings and also the fluctuation in interest rates. However, councils are also under enormous pressure continually to deliver more and better services. We often hear that councils are obliged by both federal and state governments to provide different services, but from my own experience quite often it is the council that comes up with the new initiatives which they want to provide for their community. In relation to the extra services they provide, again take heed of the differing natures of all the different councils. The bill is intended to promote improved communication between councils and the communities about these competing pressures.

Since the Local Government Act 1999 was brought into operation in January 2000, councils have had a great deal of flexibility in setting their rating policy. It has become obvious to me, as I said earlier, that the method and the flexibility is not widely known or understood by many people. For example, the rates value is based on a property's value, on a fixed charge, or on a combination of both. A council may adopt a general rate across the whole of its area or adopt differential general rates based on differing land uses or other distinguishing factors. In fact, the old Kensington and Norwood council and the current Norwood, Payneham and St Peters council has a differential rate for commercial properties.

I particularly highlight the Norwood Parade where there are differential rates. The commercial properties pay a higher rate, but the income from that is put back into improving the local infrastructure. It is pleasing to know that recently The Parade was judged as being the most successful street in South Australia, coming in at No. 20 in the country and No. 1

in South Australia. There may be separate rates for particular activities on land.

Other options include service rates, and that could involve charges for particular services. Again, that would be up to individual councils which might have a section of the community who would want particular services provided and for which they would be prepared to pay a different rate. Councils also have discretion about whether or not to set a minimum rate and, if so, the level thereof. Rebates may be granted for many different purposes if the council sees fit.

Therefore, a council's rating policy might be very complex—or appear very complex—as it tries to balance a variety of competing interests and priorities. On the other hand, a council might decide to keep its rating policy as simple as possible so that it is well understood and applied consistently and uniformly. Whichever way a council elects to go, it ought to make those choices openly, transparently and with the benefit of help and advice from its ratepayers. Therefore, the bill is designed to encourage councils to seek help from the ratepayers and public whom they serve prior to making these difficult rating decisions.

The bill requires a council to consult annually on its proposed activities, its spending, its total rate revenue and the different components of the rating structure. This will involve preparation of draft annual business plans together with the council budget. This year many councils have anticipated the provisions in this bill and acted as if they had already been passed by the parliament and brought into operation in setting their rates for 2005-06.

Many councils prepared their draft budgets and annual plans which would be required by this bill. They consulted their community and adjusted their business plan to reflect the outcome of that consultation. I commend those councils that have already begun doing this. I know that this may appear like a radical step, but when I was first elected mayor in 1991 we put this system in place. I know that there was great consternation by the then chief executive officer of the Kensington and Norwood council and the management team. They were absolutely appalled and horrified to think that we were going to have a draft budget and that we would then invite members of the community to come along and listen to what we had come up with.

We had the draft budget and we had the recurrent budget which, obviously, consisted of things that could not be there. There was then the project budget, which was the wish list of new things that the council might like to do. Obviously, some decision had to be made about priorities. The first year that we put this system into place a couple of hundred people came along to the council meeting; in the second year we had probably half those people; and in the third year practically no-one came along, because people felt so confident that we were operating openly.

We were letting the community know what was happening and allowing them to have an input into what they thought were the appropriate services. They had absolute faith in the council. I think that people should not be frightened of being open and accountable. The more open we are with the community, at whatever level of government, the more the community will accept the sorts of things we want to do.

Under this bill each council will also be required to consider whether there should be a limit on the size of any rating increase from an owner's principal place of residence.

An element of this bill which has aroused some controversy is the plan to permit any holder of the state's Senior's Card to apply for indefinite postponement of rates on their

principal place of residence. The Seniors Deferral Scheme already exists in the Local Government Act as an option for councils, and this bill will make it a requirement for all councils to offer this option. We also had this option in place in the early 1990s in Norwood. The only qualification at that time was that people who were on a pension needed to have been a resident of the area for at least 10 years.

We found that, in the years that we had this plan in place, only one or two people took up the option because, unfortunately, as happens with many elderly people, they were concerned that they would suddenly find themselves out on the street and that the council would have hold of their property. In many instances, the elderly people were concerned that they would be leaving a debt for their children, and this was something that they did not want to see happen. I think that attitudes have changed a little in the last 10 years.

Hopefully, this scheme will be of benefit to those people whom we consider to be asset rich and income poor. The scheme will permit many senior South Australians to postpone the payment of rates on their home until their home is sold. In many cases, the effect of this might be to make the unpaid rates a charge on the person's estate so that no rates are paid for the rest of the person's life. Some councils have suggested that this scheme will create inequity, because fewer people would be paying rates and, therefore, these persons, supposedly, would have to bear a greater proportion of the rates burden. However, the seniors deferral scheme has been designed so that it will be cost neutral to both councils and ratepayers. It will be non-concessional.

Deferring seniors or their estate will eventually pay compound interest on the accumulated postponed balance. Therefore, it is likely to be considered attractive only by those people with genuine cash flow difficulties, that is, the people I have already referred to as asset rich and cash poor. Those ratepayers who choose to participate in this scheme will still be able to obtain existing state government concessions on council rates for pensioners and self-funded retirees. Current administrative arrangements for such concessions will remain unchanged. Because the deferral scheme is intended to be non-concessional, there will be no need for councils to redistribute the rates burden among other ratepayers, as occurs when councils provide rate rebates or remissions.

Based on the experience of councils that are currently offering a postponement scheme, cash flow impacts on a council are expected to be minor and most likely could be met by running down the level of the council's cash and liquid investments. Borrowings would be readily available to finance the scheme if necessary and, obviously, there is the Local Government Finance Authority, which is one of the best in the country. There will be no effect on the accrual operating result of the council each year because, with accrual accounting, rate revenue is recognised regardless of whether it is received in cash or amounts receivable.

The proposed scheme would have the side benefit of promoting accrual accounting as a basis for strategic decision making as well as providing a focus for better council treasury management. But its main objective and benefit will be to increase fairness, recognising the real cash flow difficulties faced by many senior South Australians while, at the same time, avoiding subsidies for those same persons when they have a substantial asset on which their full share of rates will eventually be paid. A working party set up by the Local Government Association is designing a set of standard conditions and a standard application form so that the administrative and financial arrangements underpinning the

scheme can be consistent across South Australia. There has been wide consultation on this bill, and I think it has been generally accepted as a very good one. I commend the LGA for the work it has done, and I look forward to seeing the scheme in operation. I support the bill.

**Mrs REDMOND (Heysen):** I am pleased to make a brief contribution on this bill, which I note has been generally supported. In considering the bill, my starting point is to reflect on what the situation was like when I first became a member of a local council nearly 25 years ago. Certainly, at that time, budgeting for council was a very different proposition from that today. Indeed, we used to go through the budget papers line by line, seeing which roads and footpaths were being repaired. There was no likelihood that anyone would look further into the future than the next 12 months. Certainly, every ward councillor looked at what was being done in their ward and tried to get as much done there as they could. It was a laborious process and one that was not, in my view, very productive or effective. Indeed, I was one of a couple of councillors who tried to suggest that perhaps we needed something such as a pie chart so that we could make some assessment on where our money was being spent in terms of administration, road maintenance and various other things around the council.

In the time since the early eighties, when I first went on council, a lot of things have changed for local government. Of course, local councils generally now do a lot more than roads, rates and rubbish. In view of this, I think that there is a need for a more sophisticated and accountable approach in dealing with the issue of rating.

Part of the thrust behind this bill has been the idea of making councils more accountable and dealing with a concern in the community about the level of rates. Sad to say, whilst I support the bill I am not at all persuaded that it will actually address that fundamental issue because, as the member for Norwood was just saying, there is a group of people in the community who are asset rich and income poor and they are not really going to be helped by any of the provisions in this bill. For all its lack of sophistication, the system that I worked under all those years ago at least reflected a council which in those days was generally bottom-heavy and a pyramid in the ordinary sense of the word. I suspect that one of the difficulties we have in local government these days is that, by comparison to years gone by, we have a high number of people in the administrative side and a lesser number of people who are actually out there, visible in the community and doing things that are noticeable for the community.

That is one of the difficulties that we have, but it is now, I believe, more accountable. It is a far more complex job than it used to be. When I was on council I used to put in an easy 35 hours a week. In fact, I remember my husband saying to me at one stage, 'You can either have a career in local government or you can have a husband but you can't have both', because we were doing 35 hours a week for the princely sum of nothing at first in those days and then we introduced allowances, and councillors got an allowance of \$300 a year and as deputy chair of the council I got the huge sum of \$500 a year, so less than \$10 a week, and that did not even cover the costs. I suspect that the allowances that councillors are paid these days are pretty much of that order.

I think that \$6 000 is the average in the councils under my electorate boundaries, and they certainly earn every bit of that. The key element of the ratings problem, as other

speakers have alluded to, is the fact that it is based on the Valuer-General's valuations. As members may be aware, I came here from another state and in that other state what we used was the unimproved value of the property rather than the improved value, here called the capital value and the site value. I still think that is a better way to go. In all the years that I have had contact with local government, I never persuaded my fellow councillors that that was the way to go, but it has always seemed to me that if you have two blocks of land that are basically the same size and in the same street and one has a millionaire's mansion on it and one has a hovel on it, why should the millionaire's mansion have to pay a lot more for its rates than the hovel pays for its rates?

After all, they are getting the same road, the same footpath, the same lighting, the same garbage service, the same library and every other service, and in my view it is fundamentally imposing a wealth tax to base the rates on the improved rather than the unimproved value or on the capital value rather than the site value. However, that said, as I understand the system there is no reason why any council cannot adopt that system at the moment. As I said, I have just had trouble persuading councillors that that would be a fairer way to go and would not be imposing the wealth tax that it currently is.

One of the other aspects of this is to try to get some feedback from the community and impose on councils the obligation to consult with their community. Largely, I think local government does this already. Certainly, the good councils have been doing it for some years and pretty much all the councils, certainly those in my electorate, already consult with their communities. Whether they actually take on board the outcome of that consultation is a slightly different proposition. I remember we had a consultation with the Adelaide Hills Council, and they had various consultations because it is a large area.

When they held the consultations up in the northern part of the Adelaide Hills Council area, they found that the people up there were very supportive of continuing rural rate rebates. When they had a meeting down at Aldgate, they got a different type of ratepayer, and there was a very clear message from the ratepayers at that meeting. Their message was, 'We are happy to have rate rebates. In some case, we think that rate rebates should go to people who have primary industry and primary production land because they are doing the right thing. They give us all the benefit by keeping their land under primary production. We enjoy having that land there, and we think they should get a rebate. However, on the other hand, there are certain people who have primary producing land who denude the land and treat it badly, and we do not think they should get a rebate. Furthermore, we think people who, for instance, might have bush blocks and who keep their block simply for environmental reasons, should be recognised in the ratings scheme of things by way of a rebate, just as much as any other person who is contributing to the whole of our community. We would like to see a far more complex system introduced.'

The council representatives listened, but they certainly did not do anything about introducing those suggestions. Whilst I appreciate that there are complexities involved, nevertheless it seems to me that, if they are consulting, they had an obligation to take on board what was put to them in that consultation, rather than simply saying, 'Well, we've consulted because we have held a meeting. We have listened to what you have had to say, but we are not going to respond

in any way to what you have had to say.' I think that is one of the issues that will not be dealt with by this bill.

One of the other things I am concerned about in relation to this bill is that, in my view, most councils are already going through this process of trying to be a bit strategic about their planning; they have come a long way in the last 10 to 15 years. However, it seems to me that there must inevitably be administrative and compliance costs involved in doing what the bill requires councils to do. I think I read somewhere that Holdfast council anticipates that it will cost the council at least \$50 000 to go through this process. I suspect that the effect will be to make councils even more top heavy than they are already. As I said earlier, I think councils have become extremely top heavy compared with what they were 20-plus years ago. I think the Adelaide Hills Council has six or seven people on its staff earning over \$100 000, plus various other benefits. That seems to me to be indicative of a problem in local government; that is, we are getting too many chiefs and not enough Indians. Adding some of the obligations under this bill will simply add to that and compound the problem.

I also notice that there is a requirement under the bill for a council to consider whether it will put a limit on rate increases. In the case of the Adelaide Hills Council I know that, in the letter that went out with the rates, it did put a limit of 12 per cent on it. It seems to me that that is a nonsense; it might just as well be 25 per cent. If the limit is not controlled, so what if there is a limit of 12 per cent on your rate increase? I appreciate that the council may well have lowered its rate in the dollar and that, overall, most people's rates are not going up that much. However, 12 per cent is a heck of a lot more than the CPI. In my view, it is unreasonable to simply say, 'We're not going to even attempt to justify anything or to let you off the hook at all, unless we go over this absurd limit of 12 per cent.' Nevertheless, that is what councils do. It bears no relationship to the increases people have had in other expenses or in the income they are receiving. So, I think it is fundamentally flawed to say, 'We're going to require councils to consider whether they should have some sort of limit if, for all we know, that limit could be 50 per cent increases.'

As I have said, I will support the bill, because it does not do any vast harm. It certainly tries to address a number of things, and it seems to me that it will have the effect of requiring compliance of any of the councils which are not already getting into strategic planning (I often wonder what unstrategic planning might be) and which are not already doing those things that are reasonably expected, and it is only reasonable that they should have to do them.

I hope that the effect of the bill will not be to impose enormous financial implications on councils. I think that by and large councils do consult with their communities. They try to behave responsibly in terms of how they set their rates. They are more sophisticated now than they were 20 to 25 years ago. However, at the end of the day, in my view, this bill does not do anything to come to terms with the fundamental issue that the property taxes in this state have escalated so dramatically that it is becoming unaffordable for people. I know that one of the issues is the people who are asset rich and income poor—that older generation of pensioners and self-funded retirees—and I suspect that the problem will go away as the baby boomer generation becomes the group in that pensioner/self-funded retiree age bracket, because the baby boomer generation has lived all their lives on credit, basically. It will not frighten them, and

it will not concern them as much as it concerns the current older generation.

However, the current older generation, when you offer them the opportunity to postpone their rates until they sell the property or die, see that as denying their grandchildren and their children some part of their inheritance. We know that that is not the case and, if the property valuation has gone up so much that the rates have gone up so much so that they cannot afford to pay the rates, the reality is that the inheritance has increased far beyond any amount of the rates. The current generation of older people do not see it that way, and I suspect that that will be an ongoing problem for the next 10 to 15 years until, as I said, the group of baby boomers get into that older age bracket. Having always lived on credit, with credit cards and all sorts of things, they will not have that sort of emotional problem with the idea of postponing rates and placing a debt on the property, even though that debt will be compounding for the years that it is not there. With those few comments, I indicate my support for the bill, even though I have some reservations. Overall I think that it probably does not do us any great damage.

**Ms CHAPMAN (Bragg):** I wish to say a few words about the bill. I thank the government for introducing this bill with a view to addressing the public concern about the level and impact of council rates. The motive is admirable, and the government should be commended for doing so. However, it seems that in listening to the debates and viewing the bill, sadly, the objective is not actually going to be met with the provisions in this bill. Therefore, when we come to the question of whether or not we support the government's bill, it is a bit of a wish and a prayer that the objectives may be met. The two aspects of concern that I wish to place on the record include the number of councils it seems are already complying with the newly imposed obligations under this bill, that they have long-term infrastructure, asset management and financial planning obligations and that they have that as part of their framework to ensure that they achieve what their vision is for their own districts.

The state electorate of Bragg covers two state councils, principally the Burnside council, which has been revered and criticised from time to time by various ministers in relation to how it has operated. However, I think that it is a council which has always had a strong voice in local government. Whilst one may not always agree with the direction that it takes, from my observation it is a council which has been very dedicated to setting strategic plans as to the vision for its constituency. Indeed, it undertakes a considerable amount of demographic work and planning in its processes before it adds to the skeleton and sets out its projects on a future annual basis.

The second council where our jurisdictions overlap is the Norwood, Payneham and St Peters Council, and, from the discussions I have had with the late mayor, Laurie Fioravanti, and the CEO of that council over the time that I have had this area of responsibility, it too has undertaken quite considerable strategic planning, it does have annual business plans and it does stick within that framework. Of course it is important for the minister to ensure that there is a level of accountability and that there are processes in relation to the auditing of that to ensure that it occurs.

That is one aspect, that is, are the councils that are already complying in this regard sufficiently for the purposes of achieving the objectives of this act therefore doing so out adequately, and will this bill impose a new level and a new

layer of responsibility which, of course, will cost money and require the employment of further officers? That is a question which I think has been unanswered, and it is concerning that the imposition of those layers will have a consequential cost and, therefore, the ratepayers within the council will face further pressure on the rates imposed upon them.

A second aspect is in relation to the program for rate relief for seniors. My understanding is that Burnside Council and some other councils already offer some programs that enable there to be some rate relief, at least on a temporary basis, for seniors in the community, particularly those who are on a pension or a similar amount of low income and whose residential property may be the only real property that they own and very often is the most substantial asset and resource that they have use or access to or enjoy an income from. Largely, that is set off against the fact that, if it is their residence, there is a very limited opportunity to receive any revenue.

The aspect that is concerning is that I have spoken to a number of seniors' groups in the short time I have been in the parliament and, whether it is the generation that we are talking about, whether it is the age group that is currently in the seniors' age group, or whether it is something that is across the community, I cannot answer that question. I suspect that it is the former, and that is that we are dealing with the generation that has historically been very careful to save its money, and it has a high level of regard and respect for and commitment to achieving ownership of their residential property. Private ownership of their home, careful budgeting and saving for the accumulation of that interest is something that is very precious to them.

Perhaps the baby boomers, as we approach that age group, may have a different approach. Perhaps the X and Y generations coming behind us may have very different approach again. The availability and comfort of having access and use of credit and borrowings are familiar to our generation and are a lifestyle for the X and Y generations. So the issue may not be as difficult to come to terms with as the generations flow into that age bracket; but the generations presently in that age group (and there are often a couple of generations in an age group) are far more modest with their financial management. They have often lived through difficult times and they are very cautious about an accumulation of debt either for the purpose of acquiring an asset or, under this program, for the retention of an asset—that is, to allow the accumulation of a recurrent expenditure to occur when they fully appreciate that they are unlikely ever to be able to meet that expense. Their life expectancy is most often imprecise and there is, of course, the fear that a longer life will mean the accumulation of a very significant debt—and that is quite inconsistent with everything they have strived for. So, the tension and concern in the community about dealing with that option is very real.

One may say, of course, that there is no proposal under new section 182A of this bill that makes it compulsory. If someone in that age group feels that they do not want to go down that path then they can, of course, simply pay the rates; but that is not a realistic option for some of them if they are to have any kind of reasonable standard of living where they are living in a dwelling that has increased in value. They then face the uncomfortable option of considering alternative accommodation in another district. That is very disturbing for them, and I can tell the house that the greatest concern is amongst those living in homes where their partner or spouse has passed away or moved on (which, of course, is also

common), particularly where the partner who is left has not always had the financial management in the domestic or marital arrangement they have previously enjoyed. There is a very great fear that they may have to leave a home in which they have lived for some time. Again, that may not be an issue for future generations—the baby boomers and the next generations are much more used to moving around and changing accommodation four, five or even six times in their adult lives, and they do so regularly. We are certainly much more transient and much more able to cope with change than the generations who are currently living in this situation.

On my reading, new section 182A will have a direct imposition on the current group. We may say, 'Well, let's remember that this is just an option; the government is saying that it is offering it as a means by which it can relieve the pressure', but I do not think that is the case. I do not think it provides a real option for them that they can feel comfortable with. With those two aspects I indicate that, whilst I will not be opposing the government's bill, I hope it will actually have some of the benefits that it proposes to achieve. However, I am sceptical as to how it may assist both the current generation and the financial capacity of the current administration of councils.

Finally, I must say that there is still a job to be done—and that is in relation to dealing with the public concern that is still out there in relation to rates. Some of it is misconceived and some of it is inaccurate, and it is apparent from the consultations that I have had with local councils that they are concerned about some of the media coverage in relation to ratings procedures. The local government legislation already gives councils a number of options as to how they rate their constituents. For reasons which are obvious, they have selected a capital improved value of property base and I do not expect that that is going to change without there being some significant review. Nevertheless, in my view that is a matter that is still left unresolved and certainly needs to be. I conclude by saying that the other area which still needs some significant attention is in relation to the unattended areas for infrastructure. If I use one example in relation to stormwater; my electorate covers an area on which an abundance of water falls, and it runs off and spills over into Unley and the western suburbs at a great rate. The addition of the freeway up into the Hills has probably just added to the level and amount of water which runs off the eastern area, which, potentially, can be even more hazardous for the southern and western metropolitan area of Adelaide. That is a concern. It is one which arguably has been exacerbated by what we colloquially know as urban infill, but it is certainly an area that we still need to resolve.

I think that any government needs to address this aspect and seriously deal with it. I know some reports have been undertaken. We are talking about hundred million dollar costs that are involved in dealing with stormwater. For what it is worth I think that there are certainly some options which I hope the government is looking at in relation to how they might utilise the underground of the East Parklands area. We know that the South Australian Jockey Club is a tenant and occupier of a large portion of that area and, subject to the sale of another asset that it has at Cheltenham, it is looking to, and has resolved to redevelop that site. That, in my view, is an opportunity for governments to then look at where they might redirect some stormwater and whether there could be access from that region into the Torrens, because clearly we need to have some major engineering resolutions to these aspects.



I ask the government to look at how it will deal with these aspects, and look at some long-term planning as to how it might manage that, because otherwise we are going to have significant insurance problems and massive cost and damage to property which, clearly, urban communities are facing and are perilous. We will never have a situation—touch wood Mr Acting Speaker—that has beset the New Orleans population, but equally we could have a very costly outcome if we do not deal with stormwater. With those few words I thank the government for introducing this bill, and trust that those other matters I have raised will be addressed.

**The Hon. M.R. BUCKBY (Light):** I rise to speak on this bill, and indicate similarly to other members on this side who have already spoken that we will be supporting this bill. It is interesting to look at how the role of local government has changed over the years, because I remember when there were some 120 or 140 councils pre-amalgamation, and even going back a little further than that when there were voluntary amalgamations in my own area between the Mudla Wirra council and the Freeling council which formed the Light council. At that stage the concentration was on roads, public buildings that the council owned in terms of libraries and the institute and those sorts of things, and on the collection of rubbish. When you compare that to now where there is a host of other services that local government is providing, it is little wonder that the councils are struggling in terms of their rate revenue.

Sometimes I question some of the services that are being provided, as to whether or not there is a need for them, and exactly why those services are being delivered in terms of the benefit to the community. They are the sorts of areas which can be measured and at which councils should be looking in order to say, 'Are we, or are we not, providing a benefit to the community from employing these people and adding to the cost of running our local council?'

Along with the member for Napier, Senator Annette Hurley and the federal member for Wakefield (David Fawcett), I have been involved with the Playford council over a number of months in developing its strategic plan. A lot of work has gone into this plan and, in the end, it will have a document which will go for the next five to 10 years and which sets targets and aspirations that the council and we (as local members) have for Playford council. A huge amount of paperwork has gone into this. When one looks at it, one can see a benefit, given that the budget of Playford council is in the many millions of dollars and it is an area where a lot of expansion will occur over the next five to 10 years—even in the next five years—and a strategic plan needs to be set.

We are building up the amount of paperwork for these councils. I am not saying that they should not be accountable. I think they definitely should be accountable, because of the number of dollars they are dealing with in their annual budgets. It is almost like a dog chasing its tail. We are adding to the layers of bureaucracy within councils. As a result of supporting that bureaucracy we must have increasing rates—and it never keeps up. As a result of that, we end up with councils going into further debt.

For example, Gawler council has built a multistorey car park. It took out a loan of \$3 million to build the car park, because the council saw a necessity for increasing car parking spaces in the central business area of Gawler. The deal requires increasing debt repayments as the loan matures. The council came back to the business community only a few weeks ago and said, 'We need to increase the car parking levy

by a further \$39 000.' It was either \$36 000 or \$39 000, but I think I am right in saying \$39 000. Naturally, the business community is fairly concerned about that because they have to find \$39 000 out of their bottom line to keep on paying this debt. The fact is that this will not be the end of it; that this is the flat payment for the next 13 years. The fact is that there will be other increases because of the loan repayment increasing as time goes on. The council will be coming back to the community, probably in a couple of years, saying, 'We are not covering this now, so we will have to increase the parking levy.'

That is where there has to be some sort of accountability for future ratepayers. There is a level of business accountability to say, 'This is not a sensible deal because we are placing increasing pressure on the ratepayers of the future.' In the end, instead of the levy being spread amongst only the business community, it is spread across all ratepayers. So, residential ratepayers are paying the car park levy, as well as the businesses. I see in this bill some of the additional business plans and budgets, public accountability and all those things that are good ideas. Where a council is not being professional, or is perhaps not dotting the i's and crossing the t's as much as it should, it forces the council to undertake those sorts of plans and budgets.

An independent report on the draft bill was undertaken by Norman Waterhouse, and one of the significant concerns of the Local Government Association was the resource commitment from each council to meet the prescribed documentation. It is really hard to get that balance between having a level of accountability and the documentation that has to go with that, and building too much of a paper trail and each council then saying, 'We have to employ another two people to be able to conform to the plans and to the act.' That sends their annual operating budget up, which means that ratepayers have to cover it, so there is this ever rising spiral of rates.

I am seeing people (as are, I am sure, other members) with fixed incomes or pensioners who are finding it increasingly difficult to be able to pay their council rates. Many of those people do not want to defer their rates, as they can do under the seniors capability in this bill, where they can say, 'We will defer that and take it off the sale price of the land further down the track,' because they have not been brought up with that sort of mentality. The mentality they have been brought up with is: 'We get in a certain amount of cash. We pay our bills. If there is anything left over, great, we can go and spend it on entertainment, or whatever.' People are coming to see me and saying, 'We are not using our heater, we are not turning on the lights and we are not doing other things to make sure that we can pay all our bills.' That does not apply only to council rates: it involves electricity, water and things such as that, all of which are going up at an increasing rate.

Again, within my own electorate, the Town of Gawler council has a plan that rates will increase by 6 per cent each year. That is well above inflation and it is well above the increase that a pensioner receives, which means that those people will have an increasing squeeze on their disposable income to maintain their rates. The community is sending one message when we say that we want older people to stay in their homes so that we do not put further pressure on nursing homes and they are in their own home where they are much happier. On the other hand, we have this 6 per cent increase in rates every year, which is compounding as you go along. As a result, they are being pressured from both ends. Councils adjust the rate in the dollar and, as the member for Morphett said earlier, there is a percentage of people in the

council area who will pay less by way of rates in a particular year, but there is certainly a large percentage of people who will pay a lot more in their rates. To me, that is a concern.

There are a number of different models around the world that can be used in terms of rate determination, and it is something that I think this parliament should have a good, long, hard look at over the next few years to see whether there is a better way of doing this. I have done some research on it, and there are certainly different models around. No model is perfect, but there are certainly different ideas that can be used as against what we do here.

I believe that the measures of increased accountability in this bill are a good idea. However, it is a matter of where we strike the balance between accountability and the extra level of paperwork and documentation and the need to employ more people within the council, which then has a flow-on effect of increasing the number of employees to satisfy that documentation, which then means that ratepayers have to pay more rates to be able to pay for those people on the payroll. That is of concern to me.

Public consultation is always a good thing. There is always, of course, the matter of the level of apathy in the community, and how many people will take advantage of it. However, all we can do at the end of the day is to give people the opportunity. If they later complain about their rates and they have not taken the opportunity to raise issues with the local council, I guess that is a matter where they had the opportunity and did not use it. Councils, as far as I have seen, generally listen to their constituents because they, like any government, are sensitive to their constituents.

One of the issues that I know the minister is dealing with at the moment—and I am as well—is the issue of the water catchment area of the North and South Para and Gawler rivers, where we have a couple of councils who believe they do not have any legal liability to put funds into the catchment scheme and the rest of the councils who do believe there is a responsibility following the 1991 floods. Again, you can see that these two councils that are holding out are basically saying, ‘Well, if we don’t have to put the money there it means we have more money to do something else and if we can get around it and get away with it then we will, because we don’t believe that our catchment area is contributing. That is a downstream problem.’

That does not wash—excuse the pun. In those sorts of areas, while I recognise the constraints and the pressures on council budgets, there are some things in terms of floodwaters that do have to be done by all councils, and that is their responsibility. I will support this bill, but with the reservations I have indicated during my speech.

**Mr BRINDAL (Unley):** I am surprised by some of my colleagues that anyone would be supporting this bill. I listened with interest to the introductory comments of the member for Bragg and was about to decide that she was entirely mad, just in the first few minutes, but then she came back to the point that in this bill, to paraphrase Winston Churchill, ‘Never has so little been promised by so few to so many.’ This is a typical election gimmick proposed by the Rann government that does nothing, that achieves nothing. The minister laughs. I would remind him that I have a long memory in this place. The minister was very good, saying we needed to get the Local Government Act right. We got it as right as we could get it. I remember the last minister objecting to a proposition put forward by the then Liberal opposition that, if the rates were to increase in any council area by

a bit more than 1 per cent, then that matter should go to the public for adjudication.

That minister in this Rann Labor government said, ‘Not good enough; it doesn’t address the problems that need to be addressed.’ It did not do the things that I have heard the member for Bragg, the member for Light and a number of my other colleagues talk about but, if that measure that we proposed did not address the needs of South Australia, neither does this bill. This bill proposes a management plan. It proposes forward planning and it proposes public consultation. It proposes lots of things on the surface like annual business plans and budgets. On the surface it looks very interesting. On the surface it looks very appealing, but I have heard my colleagues tonight saying that some councils are already doing it, and certainly they are.

What does this do to address the real issue? What is the real issue? The real issue is quite simple: the real issue is unfair taxation on an unrealised asset. That is the principle here; whether it is fair for this chamber to stick the people of South Australia paying unjustly for an unrealised asset. The minister will probably get up and say that that is the way it has always been done, and surely it has been done that way for many years, but I would remind the minister that it is not so many years ago that, when you bought your house, its value escalated modestly and consistently over a period of time.

Over that period of time that your house was escalating in value, often so too your wages and your ability to pay. It is a phenomenon of the last two decades that many people, never having been asset rich in their life, bought a modest home in an inner suburb for a low value and have seen their home go up in value five and seven times during the course of their ownership, and were those people to try to buy that house now they would never have been in a social economic strata that allowed them to afford to do it, and indeed that is not limited to the blue collar workers and the Labor traditional people. It impinges on members of parliament. The member for Morphett recently sold a house. Duncan, what was your house called?

**Dr McFetridge:** I don’t want to talk about that.

**Mr BRINDAL:** The member for Morphett recently sold Stormont. I do not know what he paid for it but I do know if he had been asked to buy it at the price he sold it for he would never have been able to afford to live in that property. The point is this, that the person now living in that property, or the member for Morphett if the house next door had been sold, would be expected to pay a rating value on the property as if he could afford to support a capital investment and a mortgage commensurate with the value of that property. How any member of this place, Liberal or Labor, can say that is a fair system of charging a taxation burden on the people of South Australia, I would like them to stand up and tell me how that is fair, how that is fair for any person, whether they are an age pensioner who has lost their husband, who bought the place in Unley 20 or 30 years ago and is now being rated out of it, and it is fair the comment that has been made to say, ‘This allows you to defer it.’ Yes, defer the rate, accumulate the interest so that when you die if you are lucky there is nothing to be left to your children.

Most of the Greeks, most of the Italians, most of the battlers I know have one particular asset which they believe they can leave their children and their grandchildren and it is their home, but we come in here in our benign and benevolent generosity and say, ‘It’s all become too hard. Don’t pay your rates. You can save your rate debt. You can accumulate an

interest bill and in the end of it, we'll rip it off you and your kids and your grandkids will get nothing.' That does not suit the Italians in Unley, it does not suit the Greeks in Unley and it does not suit most of South Australia. If that is social justice I would like to know what sort of people are sitting opposite and I would also like to know what sort of people are sitting on this side of the house.

The minister can wave his hands and do whatever he wants to do, but he will be facing an election. I will not. He will be facing an election and we will see what the people think about some of these grandiose schemes, put up as equitable by this government and this chamber, because I do not see them as equitable, and intend to see if parliamentary counsel will draft an amendment tomorrow, minister, to strike from your bill the notion of the collection of rates by either site or property value as being legal in the state of South Australia, and we will see how the chamber votes on that principle, because the principle that you are asking us to continue to support is a wrong principle, and it is wrong.

**Mr O'Brien:** The eastern suburbs will love it, Mark.

**Mr BRINDAL:** I do not know what the member thinks the eastern suburbs would love.

**Mr O'Brien:** The abolition of rates based on property values.

**Mr BRINDAL:** I know they will.

**Mr O'Brien:** It is a progressive tax.

**Mr BRINDAL:** It is a progressive tax, is it, as is the collection of sewage based on nothing more than the value of your house. That is very progressive. That is very equitable. I am not, for the 'member for Springfield's' benefit, opposed to progressive taxation. I am not at all opposed to those who can afford it being rated according to their ability to pay, but the basis of this taxation has nothing to do with people's ability to pay. It is a notional ability to pay, not an actual ability to pay. If the member wants to introduce some form of taxation that when you sell your house you pay some sort of taxation to the state government based on the sale price of your house that is fine. However, this is asking you to pay not once but every single year on the basis of an unrealised asset, and I do not think that is fair. I do not think it is fair whichever way you cut it. I also do not think it is fair to pay for your sewerage on the value of your property rather than on the volume of waste which you discharge to the mains.

So, I see this bill as stuff and nonsense, flibbertigibbet and nothing of substance other than a very pathetic attempt by this government to ameliorate the problems that are obviously out there with people outraged by the indecent increases in rates. If the minister was genuine about doing something about this issue, instead of coming in with a rubbish bill like this he would attempt to address the system by which this chamber allows councils to rate their residents. I plead guilty, because I was the minister when the act was reformed. I plead guilty to that, but I did not ever like or prefer this system of rating. It is a matter of public record that I and the Liberal Party insisted that fee for service, up to and including 100 per cent of rate charges, could be applied by any council, and this parliament insisted that there be a complete suite of provisions by which councils could charge rates, none of which have generally been used by councils. We put the provisions there, we enabled councils to have alternatives, and none have taken them up. I believe none have taken up alternative proposals. They all stick to the old system because the old system is the easiest system to escalate.

The member for Norwood said in her contribution, 'Well, they don't make much extra.' I was interested in the member for Light's saying his rates have gone up 6 per cent. I can tell members that in Unley the rates have almost doubled in the 10 years that I have lived there. They have not gone up by 6 per cent: they have hopped up by 10 per cent, 15 per cent and 20 per cent at a time—and not in one year but in successive years. Those councils which we wrongly thought were going to achieve efficiencies through amalgamations, some of those big councils that have overweening bureaucracies, are in fact not the best but the worst during the last couple of years in regard to the escalation of rates.

In this chamber we have collectively—when I was minister for local government and while this member has been Minister for Local Government, and prior to me—made mistakes. It is time we started to address some of those mistakes, because it is not good enough for the minister to come here and say publicly, as he does, that this is an autonomous system of government. It is not an autonomous system of government. This system of government exists because this house passed a statute called the Local Government Act which is its constitution and its enabling fiat. Local government exists solely at the will of this parliament. It is not good enough to say that local government is autonomous and that local government therefore is not the province of this parliament. This parliament creates local government and this parliament therefore is collectively responsible for local government.

If the people are ringing Leon Byner day after day, week after week—and you know, sir, because you get many inquiries on this issue—then the people have every right to demand of this chamber (which can alter the constitution of local government) that there be some change. This chamber should be looking at this issue and giving the people some change. We as a government under Dean Brown said, 'We need to reform local government. Let us have a stick and carrot approach. Let us have either voluntary amalgamations or, if they do not work, compulsory amalgamations.' That was a mess. We have some good councils and we have some abysmal councils, and some of the most abysmal councils are huge councils that decided to amalgamate for all sorts of reasons other than the good governance or sensible geography of an area. We then reformed the legislation to a point, but it needs fine tuning. If this was an effort at fine tuning, it would be good. On top of that, we promised functional reform. I have seen some but not enough functional reform. If we had the will in this place, we could say to councils that there are some things they can keep their noses out of—export incentive officers, and all sorts of ways to waste money.

Councils can waste money more effectively than can state governments, and that is saying something. State governments have had 160-odd years of practice and they are pretty good at it, but local government can be even better. Instead of coming in here and saying, 'We want functional reform, we want three levels of government that work together, cooperate and spend the people's money wisely and well', we are coming in here with this sort of rubbish. I would not expect much different from a government that has produced so little in three years—

**The Hon. P.F. Conlon:** Be charitable.

**Mr BRINDAL:** I am being charitable. I have some time for the business of the Leader of the House because at least he is a paid up member of the Labor Party. However, when you have somebody in the ministry who is not a paid up member of the Labor Party, but who is trying to sing their

song from the hymn sheet, it must be very difficult. I am very interested, in the context of this bill and over the next few months, to see who it is who will espouse Labor Party policy in local government at the next election, because I believe the Labor Party conference has a right to tell the Labor Party at a parliamentary level what its policy should be. If the conference is going to tell the minister what his policy will be, I do not know what that says about the minister. If the minister is going to tell the Labor Party what its policy will be, more strength to the minister's arm. I will shift to his electorate and vote for him.

**The Hon. R.J. McEwen:** Please, no. Don't do that.

**Mr BRINDAL:** The minister says, 'Don't,' but that is very silly of him: I think he will need every vote he can get, plus a few. The minister thinks he is a shoo-in to win, but I have news for him.

**The SPEAKER:** The member is wandering somewhat.

**Mr BRINDAL:** I do not think I am far from the truth, but I may be wandering from the bill.

**The Hon. R.J. McEwen:** You could reinvigorate your Adelaide campaign if you wanted to.

**Mr BRINDAL:** I chose not to run for Adelaide. If I had run for Adelaide I would have won, and if I was running for Adelaide I would still win.

**The Hon. R.J. McEwen:** Prove it.

**Mr BRINDAL:** One might, minister, but I will not spend seven months wasting my time just because you dare me to. This bill does not achieve that which it sets out to achieve. This bill is unfair as much for the electorate of the member for Elder as it is for the electorates of Unley, Kavel and Morphett. It gives no justice to the ratepayers of South Australia. It does not help to curb the excesses of local government and to see that our rate dollar is properly applied.

I commend to the Leader of the House, if he wants to shut me up, some modest little reforms to the bill that will put local government in its place and put the people of South Australia back in a position where they are not reaching into their pockets. The minister should think about this. Who would he rather have take the people's money—the government of South Australia or the local council? At present the local council is probably filching more out of people's pockets than we are, and that is a disgrace. I have a lot of problems with this bill. It is a load of rubbish and I will support it only if I have no better option.

**Mr WILLIAMS (MacKillop):** I will endeavour to be very brief. I promised the minister I would speak for two minutes and no more—and it will be well done if I can achieve that. I echo some of the sentiments expressed by the member for Unley. I spent some time many years ago in the local government sector. When I went into local government as a local councillor in 1981, I can remember receiving a set of agenda papers probably a quarter of an inch thick. Less than 10 years later—I think I spent about eight years in local government, retiring from the sector in about 1989—the agenda papers for the same council (which was a small rural council) were about three-quarters of an inch thick.

The reason the agenda expanded so much in that time and, I believe, has continued to do so is not that we had inherited more area to administer or that we had inherited a great deal more functions—although in that time local government had become the planning authority and had taken on its responsibilities under the planning and development act—but that the local government sector has constantly been expected to do a lot of the work which was previously done by state

government, and even in more recent times the federal government has imposed many obligations on the local government sector. By putting more regulations in front of local government, we will not give local government the ability to reduce the rate burden. The only way to reduce the rate burden on local government is to have serious function reform.

I totally agree with the member for Unley that this is a little bit of nonsense legislation. The current government is very good at this; that is, going out there with rhetoric and painting a perception, but it is very poor at doing something which is meaningful and which will have an actual benefit. I think it is a very poor piece of legislation. I do not think it is wanted or needed. I think it will not be very long (probably shortly after the upcoming election next March) before this parliament will reconsider this matter and, hopefully—although I will not hold my breath—we will go some way towards making some real changes which will bring about real benefits to the long suffering ratepayers of South Australia.

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** I thank everyone who has contributed to the debate tonight. In most cases, I would say it was constructive and positive. A few alternatives were put, although members did raise some questions about what we were intending to do. I thought the sad contribution of the member for Unley reflected badly on himself when he was minister and on the then premier Dean Brown, but I do not know that tonight was an opportunity to rewrite his Local Government Act 1991. It is all about continuous improvement. First, I will refer to the member for Bragg's contribution because I believe that she was the only member to put some questions on the record.

I think everyone else made general observations which will be further picked up in committee. The member for Bragg asked two questions, the first of which was whether or not this posed a significant cost burden on councils already at best practice. The answer simply is: no, it does not. This does very little, as many members have said, for those councils that are at best practice. It simply reinforces that best practice. Yes, in the early drafts a couple of the suggestions were too prescriptive, particularly in terms of how you might consult. In discussions with the peak body of local government, the Local Government Association, we were prepared to back off a little and say, 'No, there are a range of ways you can consult.' In so doing, we have lessened the burden at the top end where there could have been a cost in terms of that prescription.

The second issue raised by the member for Bragg concerned the rates deferral. She seemed to be mixing up the tools that presently exist for ratepayers, whether they are seniors or others in terms of concessions and remissions and other tools and this particular issue of the right to defer, which, up until now, has been at the discretion of the council. Of course, we are shifting that to be at the request of the ratepayer. We have shifted who makes that decision, and that is all this bill is doing in that regard. It is a tool that has been used in the past. It is a tool that I do not expect to be picked up largely across the constituency, but it is still sitting there in terms of a viable option for those who choose to take it up. If they so choose, they will not have to go to the council cap in hand in terms of managing their own affairs. The honourable member also talked about a third option, and no-one knows what that option is.

Either you spend less or you raise more. I do not know what other option exists, but everyone seemed to be suggesting that there was another option. The only option I see is that if someone pays less someone else pays more, because, at the end of the day, we want a balance sheet that reflects truly the revenue expended by local government. The only other issue that does concern me from time to time is that members seem to confuse the issue of how a council goes about determining the revenue it should raise and then the process of raising that revenue.

Through that we seem to perpetuate this myth around the fact that if your values go up your rates go up. It is sad that two members tonight inadvertently or otherwise went down that path. Again, as the member for Bragg said, one thing we must do is better communicate the facts and not continue to mimic this belief that exists in some sections of the community whereby councils get a windfall if your values go up. Of course, this will do that in a far more open way, because on a regular basis we will give those people who pay their rates the opportunity to talk first about what the councils should be doing. We will then address the best possible mix in terms of raising that revenue and distributing that burden in the most fair and equitable way possible. As I said earlier, if someone else pays less someone else will pay more.

Equally, I need to correct the record in one other case. The member for Hartley is somewhat confused about the difference between what a council raises and how a council collects it. Equally, the member for Heysen, though, in talking about capping, seemed to suggest that that was to do with capping income. It is not to do with capping income. That is an entirely different process. It is to do with capping the distribution of that collection across the value base.

You can be in a situation where the value base spreads by a greater percent. I know that it is difficult in a 30 second grab in the media and elsewhere to separate the two issues: first, the issue of council needing, in an open and accountable way, to demonstrate to its community what it intends to do and what the financial implications are; and, secondly, the process to try, in the most equitable way, to raise these rates—and, obviously, capping is simply to do with that end of it. To suggest that by having a 12 per cent cap, for example, meant that there was a 12 per cent increase in the revenue base of council is a total misunderstanding of the balance sheet.

Having said that, I indicate that this bill is about reinforcing best practice; and, in fairness to them, members have picked that up in their contributions tonight. This will not solve all the problems. There will always be challenges for local government, as there are for the other two spheres of government. Let us face it: every one of us wants more services and every one of us wishes to pay fewer taxes. In closing, I allude quickly to the point made by the member for MacKillop about stepping way beyond where we are in what he termed functional reform.

The Hawker report—a fairer share for responsible local government. This is on about the responsible local government bit. The fair share is on about significant functional reform. Although the Hawker report was meant to deal with that, it did not because it could not. The federal minister's response to the report further diluted the suggestions as to where we might go.

There will be a debate over the next little while about taxation across this nation. If that is what the member for MacKillop is alluding to, then bring on the debate. But it is not a state local government debate; it is a far more funda-

mental debate about how this society funds what it demands of its three tiers of government. I know that in committee we will spend a little time on a couple of new amendments I have developed as a consequence particularly of the shadow minister's desire to see another level of accountability—an audit committee of elected members rather than sitting within the body corporate. I hope that our amendments can capture what he wishes. Beyond that, some finetuning needs to be done as a consequence of very positive and constructive dialogue with local government.

Finally, I need to point out that local government itself has not yet responded to its independent inquiry into its sustainability. Although a number of members alluded to this tonight, I have taken the view from the outset that I will respond to the position local government takes in relation to its independent inquiry, because at this stage it has no status. As soon as I see how local government responds to that within this bill, or within future amendments to this bill (as I think this is one of a series of amendments we will make over time as we refine the bill as the tool that sits there for local government to manage its affairs), I think that some of what comes out of the sustainability inquiry will be dealt with at a later date. If some of it can be picked up now, it will be minor, because, as I have said, at this stage we are ahead of local government in terms of its broad constituency considering its response to its own inquiry.

With those remarks, I thank everybody for their contribution. I look forward to the committee stage to complete the bill.

Bill read a second time.

In committee.

Clause 1 to 3 passed.

Progress reported; committee to sit again.

#### ADJOURNMENT DEBATE

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** I move:

That the house do now adjourn.

**The SPEAKER:** Member for MacKillop, anyone seeking to grieve needs to be on his feet quickly before the vote is taken. The Clerk says that the member for MacKillop was not on his feet on time.

**Mr MEIER:** On a point of order, the minister moved that the house do now adjourn and I had actually pointed to the member for MacKillop when he said 'do now adjourn, the question is', and the member for MacKillop was on his feet during that question. The minute the question has been put, any member is entitled to have a grieve.

**The SPEAKER:** He needs to indicate or get the call before the vote is taken. However, the chair is tolerant. The Whip did give a verbal indication, but I make the point that members need to be a bit quicker on their feet.

#### ROAD TRAUMA

**Mr WILLIAMS (MacKillop):** Having been in this place for nearly eight years, this is the first time that I have taken the opportunity to have a grieve on the adjournment, and I will certainly learn from your advice, sir. I made a contribution a few minutes ago and informed the house that I would be about two minutes and I stuck to that. I do not think I will delay the house for the full 10 minutes, but there are a couple of matters that I think are very important not only to the

constituents that I represent in the South-East of the state but to people right across South Australia, and some of it particularly to country residents. The two matters that I want to raise both pertain to the situation with regulations under the Road Traffic Act and the way we administer that act and the regulations thereunder, and to trying to address the situation we have with regard to road trauma and a couple of issues where I think we have gone off the rails.

One reason why I think we have gone off the rails is that we have put far too great an emphasis on the role of speed in road trauma and chosen to ignore a whole heap of other factors. Everyone in this house and I hope everyone in the state knows that my colleague the member for Schubert has been trying to introduce laws into this state for over two years now to bring in drug testing for drivers. I think that the experience from our cousins across the border in Victoria has shown that that will indeed have a significant impact when we get off our backsides here in South Australia and bring in some decent drug testing laws and start testing drivers for drugs other than alcohol, be they illicit or recreational drugs.

The government has been dragging its feet on this for over two years. I know that ministers in the government always say, 'Why didn't you do something about it in the eight years you were in government?' but, as the member for Schubert rightly pointed out, the technology was not available. It has been available for a few years now, but this government wants to hold off and introduce its own legislation in this spring session, as it flagged a few days ago, and take the kudos for doing this. I can assure this government that it will win no kudos for holding off for at least two years before bringing this measure onto our statute books. This government must wear the odium of the people of South Australia. Surely lives have been lost as a result of this government's wanting to play politics with this very important matter, which should have been addressed at least two years ago.

I drove down to my electorate from Adelaide yesterday to attend the 40th anniversary of a small rural school at Salt Creek. It was a lovely day and a lovely event well attended by current and past students and current and past staff. I certainly hope that I did not fall foul of speed cameras but, as I drove on the Adelaide side of Policeman's Point, I noted an unmarked car with a speed detection camera pointing up the highway. I did not have a problem with that. However, for a number of years now that little bit of the highway between Meningie and Salt Creek has been rather contentious for me and my constituents, because the speed limit on that piece of highway was reduced from 110 to 100 km/h some years ago by this government. In the meantime, a considerable amount of money has been spent by the state in widening and sealing the shoulders on that piece of road.

I have written no fewer than three letters to no fewer than three different ministers for transport asking whether, when the shoulder sealing program is finished, the speed limit on that piece of road will be reinstated to 110 km/h, as it surely should be. After no fewer than three letters and at least 2½ years, I finally got not a letter back from the government but two letters from the minister and a minister who was acting as transport minister for a period of time. Both letters had obviously been written by the bureaucracy, and the two letters were different. However, the nub of the situation is that both letters said that the government did not intend to reinstate the 110 km/h speed limit on that section of road. I will continue to fight to have that speed limit reinstated there, as is the wont of my constituents. Not one constituent has contacted me to

say that this is a good thing and that they want the speed limit to stay at 100 km/h.

I can assure the house that I am continually asked by my constituents, as happened at Salt Creek yesterday afternoon, when the 110 km/h speed limit will be reinstated on that piece of road. In the couple of hours it took me to drive to Salt Creek, it struck me that the only speed detection device I saw between Adelaide and Salt Creek was on that stretch of road where the speed limit was lower than what is generally the limit on state highways, namely, 110 km/h. As I indicated earlier, that speed camera was this side of Policeman Point, which is a little less than 10 kilometres from Salt Creek. Between Policeman Point and Salt Creek, there was another unmarked car on the side of the road, with a speed camera mounted on the dashboard, which, again, was facing up the highway. So, within a space of what I would estimate to be less than 10 kilometres, we had two speed cameras.

I would argue that that proves that the resources of the state are being put to raising revenue and not to reducing road trauma. There was a tiny sign on the side of the road after passing the speed camera saying that speed devices supposedly reduce accidents. I would argue that that is not necessarily the case. I was dismayed that there were two devices within such a short distance, because this government has also introduced another measure whereby drivers now lose demerit points if they are detected by a speed camera, and that did not use to be the case in South Australia.

That brings me to the second point I want to raise. A constituent of mine contacted me probably about 12 months ago. Again, I wrote a number of letters to the Minister for Transport and the Minister for Police on this issue. Eventually, after about 12 or 18 months, I recently received a definitive answer from the Minister for Police. The situation is that the father of a farmer in my electorate, in the Naracoorte district, has retired off the farm and lives in the township of Naracoorte. However, he drives out to the farm on a regular basis, and he uses the farm ute to do so. The farm ute is registered in the name of the farmer, but their father was driving it.

One day, when driving out to the farm, the father was detected by a speed camera. He saw the sign afterwards and realised that he had been detected driving a little over the speed limit. He used to attend the mail box at the local post office on a regular basis to pick up the mail. He noticed that addressed to his son was an expiation notice from the authorities. Knowing that he had committed the offence, he paid the expiation fee, without even reading the fine print. He was quite happy to do that. It was not until a little while later that the son got notification that he had received three demerit points because he was the registered owner of the vehicle. He contacted the authorities, trying to explain the situation, that he was not the driver, that it was his father, and that his father had paid the expiation fee.

I took up this matter on my constituent's behalf and, as I said, after about 12 months, I got an explanation back from the police minister to say that he could not do anything about it. It annoyed me that he did not seem interested in doing anything about it. The ministers for transport and police, and the police officer who I was invited to ring and to whom I spoke, all understood that the demerit points were taken from the wrong driver. They all understood the situation, but none of them seemed interested in doing anything about it. They only seemed interested in telling me that the legislation would not allow them to correct the situation. I asked the police officer, who I was speaking to, who was a nice gentleman,

'Why don't you do something about encouraging your minister to change the legislation?' He said to me that it was not an isolated incident.

*Mrs Geraghty interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** It is relatively common. They have asked the police minister to change the legislation, but he has not done so.

Time expired.

Motion carried.

At 10.07 p.m. the house adjourned until Tuesday 13 September at 2 p.m.