LEGISLATIVE COUNCIL

Thursday 1 June 1995

The PRESIDENT (Hon. Peter Dunn) took the Chair at 2.15 p.m. and read prayers.

INDUSTRIAL AND EMPLOYEE RELATIONS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

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

That the sitting of the Council be not suspended during the continuation of the conference.

Motion carried.

QUESTION TIME

DE FACTO RELATIONSHIPS

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Attorney-General a question about *de facto* relationships.

Leave granted.

The Hon. CAROLYN PICKLES: In the justice statement announced by the Prime Minister on 18 May this year the Federal Government made clear its intention to enlist State support for referral of power to the Commonwealth in respect of property disputes arising from *de facto* marriage breakdowns. Queensland has already shown support for the Federal Government's initiative. The referral of legislative power would allow these types of disputes to be held in the Family Court, rather than the present situation whereby these disputes must be taken to the Supreme Court. The Supreme Court is undoubtedly the more expensive forum for these types of matters and it cannot offer the specialist mediation facilities available in the Family Court environment. The Attorney may already have considered the cost transferral effect of having these types of matters dealt with by a Federal rather than a State court.

My questions to the Attorney are: will the Attorney be introducing legislation to refer legislative power to the Commonwealth in respect of *de facto* marriage property disputes? If so, when will this be? If not, why not?

The Hon. K.T. GRIFFIN: It is a furphy to suggest that the Supreme Court is more expensive than the Family Court. Anybody who has had anything to do with the Family Court will know that, for those who do not get the benefit of the legal aid, the fees payable in the Family Court are as much as the fees payable to practitioners in matters in the Supreme Court.

The Hon. A.J. Redford: 30 per cent higher.

The Hon. K.T. GRIFFIN: An interjection from my colleague, the Hon. Angus Redford, who is probably more up-to-date with the professional costs of litigation, indicates that the practitioners' costs in the Family Court are 30 per cent higher than in the Supreme Court. So, it is a misnomer to suggest that the Supreme Court is more expensive. The Government has not given any formal consideration to the justice statement. I have looked at aspects of the justice statement. A lot of it is window dressing for the purposes of the next Federal election. Some of it contains statements of intention in areas which are predominantly the responsibility of the States. There was a very interesting statement by the Prime Minister in relation to crime prevention, although he referred more particularly to community safety and did not address the fact that in this State, under the previous Government and continued by us, there has been an extensive crime prevention strategy which deals with crime prevention and not just with policing and law enforcement.

I would suggest that, from what the Prime Minister has said in launching the justice statement and in respect of the justice statement itself, it does not really address the serious issues of crime prevention in a way in which it is likely to prove to be beneficial. We must remember also that in the context of crime prevention the States have the primary responsibility for the criminal and other aspects of the law and policing and not the Commonwealth, and it would seem to me that the proposal by the Commonwealth in relation to crime prevention was really a belated recognition that around the world and not just in South Australia crime prevention was a well-developed issue and a developing science which was being addressed by rather innovative means and not by the rather last minute reactions of the Commonwealth.

As I said, in respect of *de facto* relationships the Government has not given any consideration to the matters raised in the justice statement at this stage. It was released only on 18 May. I have had a look at it but have not yet formulated a view. However, I should say in relation to *de facto* relationships that I have been giving consideration to representations which have been made in another context, and that is the extent to which the State law may need to be amended to at least deal with the division of property between those who have been putative spouses but who separate where the Law of Property Act provisions are inadequate for handling that break up situation. Balanced against that is the question about whether those who are in *de facto* relationships wish to submit themselves to that sort of legal regime, which is generally in practice in respect of marriage relationships under the Family Law Act. And that is an issue that not just the Government but the community has to address.

I am giving consideration to whether and, if so, what changes should be made to the law in respect of that issue so far as it relates to South Australia, and it is something on which decisions may be taken by the Government within the next few months. So far as referral of power to the Commonwealth is concerned, the State is naturally reluctant to refer any power to the Commonwealth and, whilst the Commonwealth might suggest that *de facto* relationships might be more expeditiously dealt with by the Commonwealth in its family law jurisdiction, there are many other people in the community—particularly those who have been through the family law jurisdiction—who would disagree quite vigorously that that is the appropriate forum in which to handle these sorts of issues.

In summary, the Government has not made any decision in respect of the justice statement; I have not made any decision as to whether or not there should be a recommendation to the Commonwealth, but I indicate that we are giving consideration to other issues relating to *de facto* relationships in respect of State law. We have a natural reluctance to concede whether in theory or in practice there is a distinct advantage in referring powers and it will be considered in due course.

The Hon. ANNE LEVY: I have a supplementary question. When the Attorney refers to other matters which the State may need to consider and which are not currently covered by our property laws, is he referring to recognition

of non-financial contribution to the assets of a *de facto* relationship?

The Hon. K.T. GRIFFIN: That obviously is one of the issues that has to be considered in respect of any division of property.

The Hon. Anne Levy: I would just like it on the record.

The Hon. K.T. GRIFFIN: You can put it on the record if you like, but anyone who had thought about how you divide up property in respect of a break up from a *de facto* relationship would have to acknowledge that there are issues which relate to that which are similar to those which relate to marriage breakdowns, and they are issues which we are considering. I do not know what the final answer will be in respect of the way that that should be handled, but quite obviously all interests which affect those who have been in a *de facto* relationship or a putative spouse relationship, in particular, when there is a breakdown in that relationship, are being considered in the context of what should happen with respect to South Australian law.

I acknowledge that there are difficulties under the Law of Property Act in adequately addressing issues about property division. I do not concede that they would be better addressed under something akin to the Family Law Act in the family law jurisdiction at the Federal level. There may well be other more appropriate mechanisms, as well as legal structures, within which that can be dealt with at the State level, probably more effectively, cost efficiently and sympathetically than are many of the issues that go before the Family Court when a marriage relationship has broken down. That is all that I can say at the present time.

The Hon. Anne Levy interjecting:

The Hon. K.T. GRIFFIN: New South Wales already has legislation to deal not just with *de facto* relationships but anybody who has a relationship. It does not necessarily have to be heterosexual, homosexual or anything else. It is a very wide provision covering relationships, including just friendship. The New South Wales Act is very broad. I am not convinced that that is the sort of legislation we ought to introduce in South Australia, but it is a complex issue and it is important to put on the record that I am concerned to properly examine the issue and it is currently being considered by me, my legal officers and others who have made representations to me.

NETTING

The Hon. R.R. ROBERTS: I seek leave to make an explanation before asking the Attorney-General, representing the Minister for Primary Industries, a question about recreational net fishing.

Leave granted.

The Hon. R.R. ROBERTS: Recently the Minister announced dramatic changes to the State's fishing industry. It has been a very complex area and I will not go into much detail today. I only wish to touch on one aspect of these arrangements, namely, the one affecting recreational netters. The supplementary report of the Net Review Committee made 14 recommendations to the Minister, of which he claims 13 were, by and large, accepted, with only one being rejected out of hand. It was not amended or modified, as were some others. It was rejected in the Minister's release of 17 May, which stated:

> As well the State Government has followed New South Wales and Victoria in no longer permitting recreation nets in all marine waters.

Given that there is little evidence to suggest that the current level of recreational netting activity is creating conflict or having any detrimental effect on fish stocks, and that the committee noted that recreational netting rarely targets species important to commercial or recreational line fishers, such as King George Whiting and snapper in particular, and given that the recommendation was for much higher control, my questions to the Minister are:

1. What overwhelming evidence suggested full exclusion of recreational netting?

2. What buy back and compensation arrangements does the Government intend to implement for recreational licence cancellations?

3. Will the Government purchase the now surplus nets and for how much?

4. Will the Minister reconsider a natural attrition policy with an appropriate licensing fee structure and compliance regime?

The Hon. K.T. GRIFFIN: I will refer those questions to my colleague the Minister for Primary Industries and bring back a reply.

ROAD RESERVES

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Minister for Environment and Natural Resources a question about Crown land and road reserves.

Leave granted.

The Hon. T.G. ROBERTS: I have recently received correspondence from the Federation of South Australian Walking Clubs who are most upset at the possible road closures under the Local Government Act. These closures may prevent citizens from having unimpeded foot access to the lands in the vicinity of these roads. Mr President, as a resident in country areas you would understand some of the arguments that are created in the transfer of Crown lands to private use. Although it happens on quite a regular basis where lands are set aside for roads that are not used, a lot are transferred back to private landowners for traditional grazing or for other use. There are very few arguments about them, but in a lot of cases there are contested positions in relation to how communities see those road reserves being used. They would prefer them to remain either under Crown protection or to be transferred to community groups for community organised activities. The previous Government set up a committee reviewing road reserves for recreational use, but it has not met for some considerable time. That was used as a facility for pulling together a lot of the competing use views and ideas and to draw a consensus, so that the Minister and the Government could make a decision around a consensus of views rather than an imposed decision which, in most cases, makes enemies of people who should be friends.

The position that the walking clubs have put to me is that the ABS statistics indicate that more than 300 000 people in South Australia are involved in walking and recreation activities, and this does not include cycling and horse riding recreational groups. All these groups—walkers, cyclists and horse riders—rely heavily on safe access to legal, public undeveloped roads which are situated throughout the State. In addition to these groups, the numbers have been further increased by field naturalists, artists, ecotourists and, hopefully, more backpackers in the future. In other countries paths have been purchased by authorities to cater for the

needs of these groups, and also for other members of the community for recreational purposes.

Within its legislative framework, New Zealand has allowed rights for these user groups to be included so that there is no conflict. They certainly encourage all the activities to which I have referred, and have included it as part of promotional material for overseas ecotourism, and it works quite well, with landowners cooperating with tourist authorities and recreational users. Everybody comes out winning. Unfortunately, based on the information given to me, in this State a number of sites are potential conflict areas and issues. Will the Minister give assurances that he will undertake to initiate all steps required to obtain changes to current legislation so as to ensure the preservation of these valuable recreational access routes in the interests of both present and future generations of South Australians?

The Hon. DIANA LAIDLAW: I, too, am a keen walker, so I will be most interested in the Minister's reply. I will refer that question and bring back a reply.

KANGAROOS

In reply to **Hon. T.G. ROBERTS** (4 April).

The Hon. DIANA LAIDLAW: The Minister for the Environment and Natural Resources has provided the following information.

The main issues in relation to the blind kangaroo syndrome are to identify the cause of the blindness, to make an assessment of the ecological impacts of the disease and to decide on what, if any, action is appropriate. Officers from the Department of Environment and Natural Resources are working with appropriate people from Primary Industries SA, VetLab, the Adelaide Zoo and private veterinary services to coordinate a response to the disease in this State. This should lead to the identification of the disease, record its development and the impact it is having on this State's kangaroos. Domestic animal health and human health issues related to the disease are also under consideration.

At its meeting in Adelaide on 28 April 1995 the Australian New Zealand Environment and Conservation Council established a task group to:

- ensure that epidemiological work is being done cooperatively and encourage additional work where required;
- review work undertaken on and responses to previous outbreaks;
- identify implications for the kangaroo industry, biological control programs and macropod management; and
- develop strategies to keep major interest groups and the community informed.

The task group will be coordinated by the Australian Nature Conservation Agency and, at this stage, will involve New South Wales, South Australia and the CSIRO. The National Animal Health Committee will advise the task group on domestic animal health issues and on meat hygiene issues.

HINDMARSH ISLAND BRIDGE

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport a question about access to Hindmarsh Island.

Leave granted.

The Hon. M.J. ELLIOTT: In the past couple of days, the Government has announced that it is likely that approval will now be given for the construction of a bridge at Berri. A consequence of that construction is that two quite large, and in good condition, ferries will be released. On a number of occasions in this place I have raised with this Minister and other Ministers the prospect that if the ferries could be released following the construction of a bridge one or both could be relocated to Hindmarsh Island to improve access. I have further suggested to the Minister that this be part of a package which could solve the ongoing dilemmas surrounding Hindmarsh Island. I ask the Minister whether, in the light of the decision in relation to the bridge, further consideration has been or could be given to such a possibility?

The Hon. DIANA LAIDLAW: I am aware that this option of increased ferry access has been addressed from time to time. It has also been considered by the subcommittee of Cabinet on this matter which is chaired by the Attorney-General. As the honourable member would be aware, the matter is not only complex but controversial, and the fact that it is before the Federal Court at the moment complicates it further. I understand that the Federal court will deliver judgment on whether or not the ban on the bridge imposed by the Hon. Mr Tickner in July last year is valid in terms of the procedures and processes that were undertaken in reaching the decision at that time.

I am very aware that improved access remains a critical issue for people who live on and wish to visit Hindmarsh Island. As a Government, we are hamstrung and cannot provide that access until many of the other legal procedural questions regarding the bridge have been resolved. Any private sector proposal regarding the Berri bridge is yet to go before Cabinet. Whilst I hope that that matter will be resolved shortly, I cannot confirm the financial arrangements or access by any developer to a financial package, and all that will have to be considered by Cabinet before it gives the final go-ahead for the bridge. At this stage I am unable to detail the final timetable for the Berri bridge. I think two years is the projected timetable for the construction of any bridge once the final go-ahead has been given by Cabinet.

I am aware, too, that the current ferry which operates between Goolwa and Hindmarsh Island is reaching the end of its natural life. There are concerns about constant breakdowns and inconvenience. This issue is alive and well, and it may require the refitting of other ferries, including a spare one, although of a smaller, size at Morgan, because of the time frame for the construction of the bridge at Berri. I assure the honourable member that I am working diligently, as is the Premier, the Department of Transport and the Treasury, on the details of the Berri bridge, which we would like to see started as soon as possible. I am sorry that I cannot be more definite than that at this stage.

The Hon. M.J. Elliott: It is about two years late.

The Hon. DIANA LAIDLAW: I accept that, but at least it is being done now.

Members interjecting:

The PRESIDENT: Order!

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order! The Minister.

OUTSOURCING

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Leader of the Government representing the Premier and the Treasurer a question about the hidden costs of outsourcing.

Leave granted.

The Hon. M.S. FELEPPA: An article published in the *Advertiser* of 26 May 1995 stated:

> The State Government's outsourcing strategy has led to fees for accountancy contractors in Adelaide increasing by up to 20 per cent, according to a survey released. . .

Some of the increase has been due to a reduction in the public sector work force, which has cost the Government in the provision of separation packages. The reduction in size of the work force has led to an increase in the costs of outsourcing accountancy work as Government departments are forced to

turn to private accountants to get the work done, and accountants have increased their fees. Another reason for the big increase in the cost of accountancy is the change in accounting procedure required in departments from expenditure confined within the budget to accrual accounting, which shows income earned compared with expenses in earning that income. Accrual accounting is a much more detailed and expensive form of accounting, and the Government has had to pay dearly for it when outsourcing accounting contracts.

All the different outsourcing contracts incur much more cost to the Government than additional accounting cost, as I believe costs would be incurred in arranging and letting the contracts; policing the contracts; investigating the suspected breaches of the contract; enforcing the contract; and prosecuting for breaches of the contract, in addition to the cost of separation packages. I suspect that these are hidden costs that have yet to come to light. According to the article, the Government has denied that the increase in accounting will cause any blowout of cost of accounting in its outsourcing program. The Government still claims that the savings would outweigh the cost. What concerns me most is that, when all the different hidden costs are taken together, the supposed savings to the Government from outsourcing could well turn out to be quite a loss, because these hidden costs could not easily be anticipated before the Government set out on the program of outsourcing as recommended by the Audit Commission. My questions to the Minister are as follows:

1. Will the Minister give an assessment of the amount in dollars of gain or loss due to outsourcing, taking into consideration all the hidden costs that have been brought to the Minister's attention?

2. Now that the budget papers have been prepared, will the costs brought to the Minister's attention appear in the discussion paper following the presentation of the budget this afternoon?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Premier and bring back a reply.

CORONIAL INQUIRY

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Attorney-General a question about Garibaldi mettwurst and a meeting between the Coroner and the Ombudsman?

Leave granted.

The Hon. T. CROTHERS: On a recent occasion when referring to the issue of the Health Commission's refusal to disclose documents relating to the Garibaldi mettwurst affair, the Minister for Health suggested that the Attorney-General had planned to facilitate a meeting between the Coroner and the Ombudsman to sort out the matter. My question arising from that is: what contact has the Attorney had recently with either the Coroner or the Ombudsman or their staff in relation to the Garibaldi mettwurst matter and the status of relevant documents held by the Health Commission?

The Hon. K.T. GRIFFIN: I presume the honourable member is referring particularly to the hearing that occurred yesterday and the newspaper report that appears this morning in relation to access to documents of the South Australian Health Commission on that matter. It is important to get the whole matter into proper context. First of all, the South Australian Health Commission is not refusing to disclose documents. My understanding is that all of the documents relating to the Garibaldi Smallgoods coronial inquiry have been made the subject of a warrant to produce from the Coroner. At the same time Mr Rann, in another place, has made an application under the Freedom of Information Act to gain access to the documents.

The South Australian Health Commission has the view, on the basis of the Coroner's warrant, that it would be inappropriate to make those documents available under the Freedom of Information Act. The Ombudsman is the person nominated in that Act to resolve these sorts of disputes. The Ombudsman has the power of a royal commission. The Coroner has very wide powers as a coronial court of inquiry. The difficulty is, of course, to establish which has appropriate priority. My understanding is that the Coroner is of the view that, because a lot of the documents have not yet been publicly available through the coronial inquiry, it would be inappropriate for those documents to be made available prematurely. There is, of course, no difficulty once the documents have been produced in the coronial inquiry: they are then publicly accessible. Of course, when the Coroner has determined that they are not necessary for the inquiry the remaining documents would then be dealt with under the provisions of the Freedom of Information Act. So, there is no attempt to do anything other than comply with the law.

The application yesterday was an application, again as I understand it, to the Coroner in pursuance of the Coroner's warrant: that the Coroner should make a decision about whether or not the information in the document should be suppressed until the coronial inquiry has considered those documents in the proper context of that inquiry. Again, as I understand it, and again from this morning's press as my source, that order was made by the Coroner. That means that the documents, quite clearly, are under the authority of the Coroner. The Coroner is independent of Government; the Ombudsman is independent of Government. The Coroner operates in a public environment and, when the hearings resume, quite obviously material which may be the subject of that suppression order will then become available.

From the newspaper report—and I have not got this directly from my Crown Solicitor's officers—it appears that the Coroner has recognised that those who have a direct interest in the coronial inquiry will not be adversely prejudiced by the suppression order. So the documents will be available for the purposes of counsel who have an interest on behalf of their respective clients in appearing and presenting evidence and questioning evidence before the coronial inquiry. Whilst 'suppression order' is a fairly emotive description of what occurred, it is important to recognise that it falls within the context of a Coroner's inquiry, that information will be available publicly and that there is no attempt other than to ensure that the proper processes of the law are complied with.

The honourable member asked whether I had been in contact with the Coroner or with the Ombudsman. I have not been in contact with either the Coroner or the Ombudsman directly. I understand that, so far as the Ombudsman is concerned, he has had discussions obviously with the Leader of the Opposition and the South Australian Health Commission. I am not sure whether or not he has had any conversations with the Coroner. So far as the Coroner is concerned, my contact certainly directly has been very limited, but in terms of my own Crown Solicitor's officers and the Attorney-General's department, as I understand it, contact has been somewhat limited, although, quite obviously, we have an interest in determining what resources, for example, the Coroner requires to enable work to continue to facilitate the conduct of that inquiry. The honourable member

may be aware that the Government has made significant resources available to the Coroner by bringing in an acting Coroner to relieve the Coroner of some of the otherwise continuing workload and also to provide counsel assisting, as well as funding the legal representation for the parents of the young girl who died and whose death is the subject of the inquiry.

I believe that there would be good sense, because of the respective responsibilities and statutory responsibilities of both the Coroner and the Ombudsman, if they did communicate with each other about the way in which their respective statutory responsibilities can be performed without unduly embarrassing either of them and without creating any major concern in terms of the administration of justice. I think that is the proper course to follow. It may well occur, but that, of course, is a matter for both of those officers who are independent of Government, cannot be given any instruction by me, or by any other member of Government, and who will not be given any instruction accordingly.

The Hon. T. CROTHERS: As a supplementary question, did the Attorney at any time endeavour to facilitate a meeting between the Coroner and the Ombudsman?

The Hon. K.T. GRIFFIN: Mr President, I am not sure what the honourable member is driving at. I have indicated—

The Hon. T. Crothers: It was suggested that you would by one of your other Ministers, which would be grossly improper.

The Hon. K.T. GRIFFIN: I have said on the public record that I think it would be a good idea for the Coroner—

The Hon. T. Crothers: Did you?

The Hon. K.T. GRIFFIN: I have not facilitated anything. The fact is that I think it would be a darn good idea that the Coroner and the Ombudsman met. If that suggestion has been made to the Coroner and to the Ombudsman that they meet to resolve their outstanding issues, I have no difficulty with that.

The Hon. T. Crothers: But did you facilitate it?

The Hon. K.T. GRIFFIN: I have not spoken to anybody in the Coroner's office or the Ombudsman's office about it. Certainly, it is my very strong view that they ought to talk. That view is well-known to my own officers. It may be that they have spoken to officers of the Coroner or the Ombudsman to make that suggestion. That is something which is not any form of interference at all, if it occurred.

The Hon. T. Crothers: It wasn't suggested they did it; it was suggested that you did it.

The Hon. K.T. GRIFFIN: I have not spoken to the Coroner or the Ombudsman and I do not intend to. Let me make quite clear that the Ombudsman does periodically see me about a whole range of issues, including resource issues. I am the Minister for the Ombudsman Act and my department provides staff and resources to the Ombudsman. In respect of the Coroner, I am the Minister to whom the Coroners Act has been committed. As I said, my officers have had discussions with the Coroner from time to time about this inquiry in order to facilitate the provision of resources and the conduct of the inquiry. I am not sure what the honourable member is driving at. I have certainly not personally spoken to either the Ombudsman or to the Coroner with respect to the particular matter that the honourable member raised.

WORKCOVER

The Hon. ANNE LEVY: I seek leave to make an explanation before asking the Attorney-General, representing the Minister for Industrial Affairs, a question about WorkCover and sex discrimination.

Leave granted.

The Hon. ANNE LEVY: It is not long since this House passed many amendments to the WorkCover legislation, and it was proclaimed exactly one week ago on 25 May. I have been approached by a constituent who has pointed out that an obvious anomaly exists in the new provisions. The current Act states that income maintenance will be paid to an injured worker by WorkCover until they reach the age at which they become eligible for an age pension. The previous Act from 1986 added a subsection that this did not apply if it could be shown that workers in a particular industry had a different retiring age or until they reached the age of 70, whichever occurred first.

In the amendments passed in this Chamber that second qualification was removed from the legislation. We now have a situation whereby income maintenance is paid to injured workers only if they are below the age at which they can qualify for the age pension. As I have said, a constituent has brought to my attention this anomaly. She is aged 62 and is employed full-time in an area which employs both men and women in large numbers. She was injured at work and required not a long time off work, but a few weeks or perhaps a month or two. She has been refused income maintenance from WorkCover and she is expected to apply for an old age pension as she is 62, although she fully intends to return to work in a few weeks, as soon as she has recovered from her injury.

She pointed out to me that, if a man who was exactly the same age, who was doing the same work and who was on the same salary were injured and had to take time off work, he would receive income maintenance because at the age of 62 he does not qualify for an age pension under the Federal Social Security Act. This seems to be a gross act of sex discrimination: in exactly the same situation the man will get income maintenance from WorkCover but the woman will not, even though they may be doing exactly the same work, have exactly the same type of injury and be exactly the same age. I presume that this was not intended when this legislation was put through this House but that it is an anomaly which has arisen by accident. I have always understood that this Government, as with the previous Government, strongly held to the prohibition of discrimination on the grounds of sex in employment and in other areas, and that it would not suggest that in identical circumstances a woman should receive a lesser payment than a man.

My question is: will the Government introduce amending legislation to correct this anomaly so that women between the age of 60 and 65 are not discriminated against by WorkCover on the basis of their sex—in other words, being treated differently from the way in which a man would be treated in exactly the same situation? As I have said, I presume that this anomaly arose inadvertently and I am sure that any amendment to correct it would receive the support of all members of this Council and pass through the Parliament very quickly.

The Hon. K.T. GRIFFIN: I certainly do not seek to make any comment on the broader issue, and that is the pensionable age of citizens at the Federal level. However, in terms of the issue as it relates to the WorkCover legislation, I must confess that I do not have the answer at my fingertips. I will refer the question to the Minister and bring back a reply. One might reflect that, in the whole of the very careful scrutiny of that legislation in both Houses, this issue was not picked up by any member from the Opposition, Government or

Democrats. It was raked over with a fine tooth comb and it was not picked up. All that I can say to the honourable member is that I will have to obtain an answer and I will bring back a reply.

The Hon. Anne Levy: WorkCover is refusing to pay income maintenance.

The Hon. K.T. GRIFFIN: If the honourable member feels that her constituent's name might assist in the investigation of that particular issue I would be happy to receive it and have that particular case looked at, although I recognise that it is raised only in the context of a broader principle. However, it may be helpful if that particular matter were to be examined, but I will leave that to the honourable member.

QUEEN ELIZABETH HOSPITAL

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister representing the Minister for Health a question about the future of the Queen Elizabeth Hospital.

Leave granted.

The Hon. SANDRA KANCK: Last year the Minister for Health made the surprise decision to amalgamate the Queen Elizabeth and the Lyell McEwin Hospitals. Given the vast distances between them, no-one I have spoken to understands exactly how substantial savings could be made in the area of administration, nor what community of interest exists between these two units. I have been informed that the Queen Elizabeth Hospital is in a state of disrepair, with some people claiming that it is almost due for demolition and a new building built. Further to this there are rumours of plans to build a new hospital at Gepps Cross or The Levels. My questions are:

1. What plans has the Government made to upgrade the Queen Elizabeth Hospital facilities, given that it is in such a bad state of repair?

2. Can the Minister guarantee that the Queen Elizabeth Hospital site will remain the site of a public hospital?

3. Is there any truth in the rumours that a new hospital will be built at Gepps Cross or The Levels and, if so, does the Minister intend that such a hospital would be a public or private hospital?

The Hon. DIANA LAIDLAW: I will refer the honourable member's question to the Minister and bring back a reply.

COLLINSVILLE MERINO STUD

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Treasurer a question about the sale of the Collinsville stud.

Leave granted.

The Hon. R.R. ROBERTS: During the break I received a reply from the Minister to some questions I asked in this place on 11 April in respect of caveats or encumbrances on the properties in the Collinsville portfolio, and that reply has now been recorded in *Hansard*. Part of the reply stated that the Minister could confirm the following:

> . . . as the legal owner (via various subsidiaries) and mortgagor of the Collinsville properties, SAAMC is aware of all legal encumbrances on the properties. As part of the tender process implemented for the sale a Form 18 was prepared in the normal manner outlining details of land offered for sale. The Form 18 was prepared following searches of all titles in December 1994.

On 3 April 1995 SAAMC signed an option agreement with Elders under circumstances including that, if it was not sold by 30 April 1995, it could have resulted in Collinsville being sold to Elders on 3 July 1995. On 6 April a Mr Phillip Wickham lodged caveats on various Collinsville land titles. In the intervening period I had some discussions with Mr Phillip Wickham who had had searches done on these properties and I have some correspondence in front of me which states, in part:

> On 21 March 1995 our limited inquires in regard to the status of titles itemised as annexure 'A' of the Form 18, dated 24 February 1995 and signed by Mr Woods for and on behalf of the registered proprietor, indicated the following inconsistencies.

The list of inconsistencies included the fact that Crown lease 400/60 was incorrectly described as a Crown lease. The certificate of title 5107/407 was described twice. Certificate of title 4223/173 is also described twice. The fourth inconsistency was that Crown lease 1302/12 shows RTF 7877420, which is an unregistered instrument. One of the most important ones is that Crown lease 1607/81 shows as council title, but the endorsement XL 7879135 was registered on 6 March 1995. Documents would have been lodged previous to this date. This is a cancellation of a title and some five sections, being some 202 hectares, have reverted back to the Crown. This is land near the homestead at the Collinsville station.

The sixth inconsistency showed that the certificate of title 1805/111 is affected by a road plan. Certificate of title 5108/770 is affected by a road plan also. Both plans need to be checked to determine their effect on the land. An eighth inconsistency showed that Crown lease 547/67 is incorrectly described as a fee simple title. Subsequent to 21 March 1995, the conveyancers doing the search became aware that Crown leases 1302/10 and 1302/12 were in the process of registration to transfer them from East Collinsville Pty Ltd to West Collinsville Pty Ltd, thereby leaving no property holdings in East Collinsville.

Given that there were the above inconsistencies, a recommendation was given that, prior to any settlement, each title be further searched to determine its current status and to determine that the errors of land presented by the vendor at inspection on the property and in the brochures were in fact capable of being transferred by the vendor. The major concern of the conveyancers was that there may be an omission of title references in the schedule, thereby leaving a void in the property.

Since those searches have been done, it has been announced publicly by the Minister that the Collinsville property has been sold. Caveats have been lodged by Mr Phillip Wickham on the Collinsville land titles. I heard a radio interview recently with the head of SAAMC confirming that the titles to the 202 hectares had reverted back to the Crown. Given all that information, my question to the Minister is: is he now satisfied that there are some problems with the land portfolio in question, will he make further inquires and can he report to the Council on the status of the sale of the stud, given that caveats have been lodged by Mr Phillip Wickham?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Minister and bring back a reply.

SOFTWOOD LOGS

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation prior to asking the Attorney-General, representing the Minister for Primary Industries, a question about export of softwood logs.

Leave granted.

The Hon. T.G. ROBERTS: A major issue is emanating in the South-East from the Government's decision to export raw log out of the South-East directly overseas without value adding. It was subject to exploratory questions some six months ago as to what would be the resource allocation for the mills in the South-East. The Government was slow in providing answers to the community. We now find that an allocation has been made to the exporters, through Forwood Products, of 287 000 cubic metres of raw log to Asia. The explanation given in the *Border Watch* of Friday 26 May by those involved in the export (Mr Graeme Higginson of Western Pacific Wood) relates to the *pinus pinasta* timber, but I understand that *pinus radiata* is going as well. It states that:

> Only one South-East firm could chip the Pinaster logs, but it had knocked it back and the opportunity to harvest them. He said, mills would find Pinaster sawlog uneconomical, although he had agreed to supply a mill with any sawlog harvested.

I have been contacted by private mills and members of unions in the public mills on both sides of the border and they indicate that they could use in an economic way the timber allocation now currently being shipped overseas without any value adding, that is, the raw log being cut, harvested, moved on to the wharves and shipped directly out to Asian ports for value adding.

The pulp and paper industry is interested in the allocation as well as the timber industry. The Government needs to explain its moves a little better and explain to the public the accusations being made by the industry, that is, that the resource could be used in the value adding process within their conversion mills or in the pulp and paper industry. Therefore, my question is: will the Minister provide timber allocations to guarantee the viability of all South Australian timber processors and users, their needs and requirements, before allocation of export log is made?

The Hon. K.T. GRIFFIN: I will refer the question to my colleague the Minister for Primary Industries and bring back a reply.

APPROPRIATION BILL

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to table copies of the Budget speech, Financial Statement, Estimates of Receipts and Payments, Economic Conditions in the Budget and the Capital Works Program for 1995-96.

Leave granted.

SGIC (SALE) BILL

Adjourned debate on second reading.

(Continued from 31 May. Page 2046.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading. Once again, it is demonstrating a flexible and sensible approach to the issues surrounding this matter of privatisation of Government enterprise. The character of SGIC has changed considerably over the past 20 years. The Labor Party makes no apology for having set up SGIC in the early years of the Dunstan era. There are good reasons for doing so. Even the Deputy Premier said earlier this week in another place that the creation of SGIC was probably not one of the worst experiments undertaken in South Australia. In his own way, he was praising the Labor Government of the day for its vision and initiative. However, the time has come, and we have agreed to reassess the need for a publicly-owned entity offering all the various services currently offered by SGIC. We have not changed our view: the State needs to keep control over the compulsory third party insurance market in South Australia.

Obviously, this type of insurance for motorists is compulsory, as it should be. We believe that the State has an obligation on behalf of all road users to ensure that adequate third party insurance is affordable and available to protect the unfortunate victims of road traffic accidents. I note that the CTP business is to be retained through a new entity with the creation of the Motor Insurance Commission, which unfortunately may be known as MOCO. I suppose we will get used to the name; it is on par with NEWCO, the name to be given to the entity which will carry all other aspects of SGIC's business, at least until it is disposed of.

The only amendment the Opposition has put forward in relation to this Bill in another place is to ensure a reasonable gender balance for the board of the Motor Accident Commission. I am pleased to note that the Deputy Premier has indicated that the Government had no difficulties with the Opposition's wishes in this regard. I support the second reading.

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

ADJOURNMENT

At 3.17 p.m. the Council adjourned until Tuesday 6 June at 2.15 p.m.