

LEGISLATIVE COUNCIL

Tuesday 11 February 1997

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

QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 1, 9, 17, 48, 49, 65, 70, 83, 100, 105, 116, 132, 133 and 135.

SOUTHERN EXPRESSWAY

1. The Hon. T.G. CAMERON:

1. How much has the first three editions of 'Expressway, Connecting the South' cost the Government of South Australia?
2. Who prepares the newspaper?
3. What is the nature of the relationship between the printer and the Government?
4. What other work has the printer done for the Government in the last five years?
5. How many copies are printed and distributed and by whom?
6. Edition three of the newspaper states that 600 new jobs have been created in the Lonsdale area in the last six months as a result of the Southern Expressway.
 - (a) Where are these jobs located?
 - (b) How was the figure arrived at?
 - (c) In what industries have the jobs been created?
 - (d) Are these jobs short term construction jobs or more permanent positions?
 - (e) (i) Have the small businesses located along South Road at Reynella been surveyed about the possible impact of the Southern Expressway on their businesses?
 - (ii) If not, why not?

The Hon. DIANA LAIDLAW:

1. From the outset of the \$112 million Southern Expressway project the printing and distribution of the newsletter, 'Expressway, Connecting the South' has been regarded as an integral part of the community consultation process. The total cost for the first three editions has been \$43 308—or 13.9 cents per copy.
2. The community consultation for the Southern Expressway is being managed by the project manager, Maunsell, which in turn has engaged O'Reilly Consulting and Stewart Communications to undertake the preparation of the newspapers.
3. The printer is engaged under a normal commercial contract to the Department of Transport (DoT).
4. DoT has not engaged the printer for any other work in the last five years. However, as the same printer has been engaged by the Australian Labor Party over the past five years for the production of a large number of electoral 'flyers', the quality of the printer's work should be well known to the honourable member.
5. Approximately 100 000 copies are printed with about 84 300 distributed through the local Messenger newspapers. The remainder are distributed through a wide range of public outlets including local councils and by direct mailing to interested parties.
6. The article referred to by the honourable member, highlights the 600 new jobs that can be attributed to the Southern Expressway.

All the facts and figures were provided by the representative of the South Development Board as referred to in the article.

WIRRINA COVE RESORT

9. The Hon. T.G. CAMERON:

- 1 and 2. Will Government funding be used to help build the sport and recreation complex planned for the Paradise Wirrina Cove Resort? If so, how much will be spent and on what?
3. Will the Government provide full details of expenditure provided for infrastructure at the Paradise Wirrina Cove Resort including:
 - (a) roads
 - (b) gas and electricity
 - (c) breakwaters
 - (d) marina excavation work
 - (e) any other public infrastructure?
4. (a) Have any Government grants or concession been provided to the Paradise Wirrina Cove Resort?
 - (b) If so, what are they and how much are they worth?

The Hon. K.T. GRIFFIN:

- 1 and 2. No funds have been allocated from the South Australian Tourism Commission budget or the Office for Recreation and Sport for the sport and recreation complex planned for the Paradise Wirrina Cove Resort.
3. Government commitment to public infrastructure works at Wirrina are as follows:

Waste Water Treatment Plant	\$700 000
Water Treatment Plant	\$250 000
Water main extension from Normanville	\$4 400 000
Public Road to Marina from South Road	\$1 000 000
Marina Basin and Breakwater	\$8 500 000
	\$14 850 000

Please note that matching funds have been provided by Paradise Wirrina Cove Resort for the Waste Water Treatment Plant, the Water Treatment Plant and the public road to the marina. The public road will give access to the community to facilities at the marina which will be available to the public. Paradise Wirrina Cove Resorts also intend to spend \$14 million on facilities at the marina.

There is no provision provided for gas and electricity.

4. No.

GOVERNMENT ADVERTISING CAMPAIGN

17. The Hon. R.R. ROBERTS:

1. What was the total cost of the 'Going All the Way' publicity campaign?
2. What was the cost of each particular sector of the campaign, e.g., advertising, printing, distribution, etc.?
3. (a) Were any non-public sector consultants used in the creation or operation of the campaign?
 - (b) If so, who were they?
 - (c) What functions did they perform?
 - (d) How much were they paid?
4. When did the campaign begin and when did it cease?

The Hon. R.I. LUCAS:

1. To date a total of \$740 303.38 was spent of the 'SA Going all the Way!' campaign.
2. Following is a breakdown of costs incurred to launch and maintain the 'SA Going all the Way!' campaign.

Management and Production of materials for the Campaign	\$161 536.00
Media Costs	\$538 767.38
Miscellaneous (est)	\$40 000.00
TOTAL	\$740 303.38

 The estimated value of the SA Going all the Way! campaign—\$2.5 million.
3. Yes.

Answers to question 3 part b, c and d are tabled below.

Name	Function	Cost
O'Brien McGrath Advertising	Creative Direction, Copywriting, Video & Audio Production, Supervision, Account Direction	\$35 544.00
Purcell Ad Consultants	Typesetting & Artwork	\$13 786.00
Pepper Studios	TV Production & VTR Dubbing Supply	\$24 408.00
Collison & Co	Trademark Applications	\$9 512.00

Name	Function	Cost
Best FX	Radio Commercial Production & Music Recording	\$9 067.00
Kings Colour	Colour Reproduction	\$104.00
Johnson Winter & Slatery	Legal Advice	\$353.00
John Draper Illustration & Design	Design, Illustration & Artwork	\$9 899.00
Rainbow Colour Copy Centre	Colour Reproduction	\$243.00
Johns Screen Printing	Bumper Sticker Printing	\$5 507.00
Newstyle Printing	General Printing	\$7 350.00
First Media	Colour Filmwork & Separations	\$11 151.00
Ellis Displays	Signwriting Banners	\$1 642.00
Adelaide Tape Duplicators	VHS & Audio Tape Duplicates	\$466.00

TRANSADELAIDE, SECURITY

48. **The Hon. T.G. CAMERON:**

1. What were the results of the six week trial conducted by TransAdelaide commencing in November 1994, using a private security firm to patrol the Salisbury, Modbury and Paradise interchanges to combat crime?

2. How much did the trial cost?

3. Have the private security firms continued the patrols?

4. What have been the crime rates at the Salisbury, Modbury and Paradise interchanges for the years—

(a) 1993-94

(b) 1994-95

(c) 1995-96

5. To what other interchanges is the Minister considering extending the use of private security firms?

6. If not, why not?

The Hon. DIANA LAIDLAW: The patrol trial conducted by TransAdelaide using a private security firm was successful in dispersing loitering groups, reporting incidents and providing a visual security presence. The cost of the trial has been absorbed into ongoing security costs.

The use of private security firms to patrol interchanges is continuing, and the total cost of all such patrols is approximately \$74 000 per year.

Policing of the public transport network was transferred to the South Australian Police Department in 1994. Details of crime rates at interchanges is only available through the Statistical Unit of the SA Police—while some crimes may be reported at local police stations. Current Police policy restricts release of such information without the approval of an officer at Commissioner level.

49. **The Hon. T.G. CAMERON:**

1. What were the results of the proposal made by TransAdelaide in November 1994 to investigate the use of camera surveillance at its car parks?

2. Have surveillance cameras been installed?

3. If not, why not?

4. At what car parks have surveillance cameras been installed?

5. What have been the crime rates at those car parks where the cameras have been installed?

6. Who operates the cameras?

7. How much have the cameras cost?

The Hon. DIANA LAIDLAW: The answer to these questions should be considered in relation to the answers to similar questions, numbers 48 and 113, asked by the honourable member on 16 October and 27 November 1996 respectively. TransAdelaide has investigated the use of camera surveillance in its car parks along with other methods of improving the security of commuters' vehicles. As the cost of the cameras was found to be high (about \$15 000 per camera, including installation) other methods, including the use of security patrols, will be pursued in most instances in the future.

Some cameras continue to operate in car parks, but for security reasons it is not deemed prudent to advertise their location. In all such instances, the cameras are operated by TransAdelaide security.

Details of crime rates at car parks are only available through the Statistical Unit of the SA Police—while some crimes may be reported at local police stations. Current Police policy restricts release of such information without the approval of an officer at Commissioner level.

JETTIES

65. **The Hon. T.G. CAMERON:** Will the Minister confirm that she is considering off-loading the total maintenance program of the State's jetties to local government?

The Hon. DIANA LAIDLAW: This response answers identical questions asked by the honourable member numbered 61 (3rd Session of Parliament) and 65.

The honourable member will be aware that on 10 August 1996 the Government announced a funding program comprising \$12.8 million, over the next four years, to upgrade recreational jetties to a standard appropriate for recreational use and to encourage councils to participate in the ongoing management of jetties.

This large injection of funds contrasts dramatically to the policy of the former State Labor Government which simply advocated the transfer of jetties to councils without any funds from State Government to repair and upgrade jetties prior to transfer. This Government recognises that jetties are an important local recreation and tourism asset for the State.

Subsequently, an officer has been appointed by the Department of Transport to liaise and negotiate with councils regarding funding and ongoing management issues. Already the officer has held discussions with most of the relevant councils and considerable interest is being expressed by Councils.

SUPPLY SA

70. **The Hon. P. HOLLOWAY:**

1. What is the extent of Supply SA's operations in the Northern Territory and, in particular—

(a) What was the volume of sales by Supply SA to agencies in the Northern Territory in 1993-94, 1994-95 and 1995-96?

(b) Does Supply SA have an office in the Northern Territory and how many officers are located there?

(c) What profit or loss does Supply SA make on its Northern Territory operations?

(d) How does the scale and profitability of Supply SA operations in the Northern Territory compare with the business conducted through the Whyalla office and the recently closed Mount Gambier office of Supply SA?

2. Did staff from the central office of Supply SA visit the Northern Territory in September 1995 and in September 1996 and, if so—

(a) What was the nature and purpose of the visits?

(b) Who was involved in the visits and what were their classifications?

(c) What were the total costs of the visit?

(d) Are the costs of the visits included in the answer to question 1(c) above?

3. Does the School Rebate Scheme (whereby schools conducting a certain level of business with Supply SA receive rebates) apply to schools in the Northern Territory and, if so—

(a) How many Northern Territory schools qualified for a rebate in the last year?

(b) What was the total amount of rebates paid to Northern Territory agencies?

4. (a) What were the recommendations of the Procurement Review conducted by the State Supply Board in relation to the future of regional offices of Supply SA (including the Northern Territory)?

(b) Will the Minister for State Government Services release the report from the Review?

The Hon. R.I. LUCAS:

1. (a) 1993-94 Gross Sales—approximately \$1.1 million

1994-95 Gross Sales—\$1.179 million

1995-96 Gross Sales—\$1.323 million

- (b) No, Supply SA does not have any offices based in the Northern Territory.
- (c) Supply SA Distribution (Seaton) realised a profit of \$77 420 for the 1995-96 financial year on its Northern Territory sales. The figure is based on estimated labour input and apportioned operating costs as Supply SA does not have Northern Territory set up as a separate cost centre.
- (d) The following figures indicate the profitability and sales of Supply SA operations in the Northern Territory compared with the Whyalla and Mount Gambier offices for the 1995-96 financial year:

	Net Profit	Gross Sales
Northern Territory	\$77 420*	\$1 323 000
Mount Gambier	\$54 120	\$1 431 000
Whyalla	\$231 800	\$2 200 000

- * As mentioned in question 1(c) above, this figure is based on estimated labour and apportioned costs as Supply SA does not have Northern Territory set up as a separate cost centre.
- 2. Yes.
 - (a) Visits occurred in September 1995 and September 1996 for the purpose of making personal contact, building customer relationships, promoting the Back-to-School ordering and the benefits of using Supply SA Distribution in general.
 - (b) September 1995:
 - S. Hutton—Acting Sales & Marketing Manager (ASO5)
 - C. McEvoy—Telemarketing Officer NT (ASO2)
 September 1996:
 - S. Hutton—Acting Sales & Marketing Manager (ASO5)
 - D. Elder—Telemarketing Officer NT (ASO2)
 - (c) September 1995:
 - Total cost is \$6 343.55 including airfare \$2 206.00, accommodation \$1 710.40, car rental \$1 241.75 and meals \$1 185.95.
 - September 1996:
 - Total cost is \$7 419.98 including airfare \$2 574.38, accommodation \$2 362.50, car rental \$1 220.15, meals \$1 262.95.
 - (d) Yes, the cost of the visits have been included in the answer to 1(c).
- 3. Yes.
 - (a) 18 schools in the Northern Territory qualified for the 1995-96 School Rebate Scheme (amounts range from \$100 to \$763.76).
 - (b) The total amount for these Northern Territory rebates in 1995-96 was \$5 122.28.
- 4. (a) The Procurement Review is a Whole-of-Government Review which is still in the process of completion. The Review is not oriented around specific recommendations such as Regional Offices but is more to do with the procurement process.
 - (b) See (a).

SHARES

83. **The Hon. SANDRA KANCK:**

- 1. Has the Minister for Health owned any shares in Western Mining Corporation at any time since 1 July 1996 and, if so, how many?
- 2. Has the Minister had an interest in any trust that held shares in Western Mining Corporation at any time since 1 July 1996 and, if so, what kind of interest?
- 3. Has the Minister's spouse owned any shares in Western Mining Corporation at any time since 1 July 1996 and, if so, how many?

The Hon. DIANA LAIDLAW:

- 1. No.
- 2. No.
- 3. Yes. This interest is as was identified in the Register of Members' Interests, June 1996.

HEALTH MINISTER

100. **The Hon. M.J. ELLIOTT:**

- 1. As of 30 June 1996, did the Minister for Health and Minister for Aboriginal Affairs, or his spouse, hold interests in retail properties, either directly or indirectly?
- 2. What are the names of the companies in which interests were held?

The Hon. DIANA LAIDLAW:

- 1 and 2. All shares owned by the Minister and his spouse as of 30 June 1996 are listed in the Register of Members' Interests. It is not feasible, on a day-to-day basis, to have particular knowledge of which companies may or may not be involved in retailing properties.

BOATING, RECREATIONAL

105. **The Hon. T.G. CAMERON:**

- 1. How much did the recent Coopers and Lybrand feasibility study into the identification number system for pleasure craft cost?
- 2. Will the full report be released publicly?

The Hon. DIANA LAIDLAW:

- 1. Fourteen thousand dollars.
- 2. The investigation was conducted on a fee-for-service basis and as such has not involved the preparation of a report designed for public information and consumption.
 - I understand that the findings have already been advised to key stakeholders.

TRANSADELAIDE, PROSECUTIONS

116. **The Hon. T.G. CAMERON:**

- 1. How many expiation notices have been issued, and how many people prosecuted for fraud and fare evasion by the Passenger Transport Board for the years—
 - (a) 1993-94
 - (b) 1994-95
 - (c) 1995-96
- 2. What is the breakdown of expiation notices issued and prosecutions for train, bus and tram?

The Hon. DIANA LAIDLAW:

Total Number of Expiation Notices Issued for Ticketing Related Offences

Year	Number
1993	1 589
1994	1 518
1995	3 227
1996	4 278

Total Number of Court Prosecutions

Year	Number
1993	1 123
1994	1 258
1995	1 619
1996	1 990

Total Number of Expiation Notices Issued for Ticketing Related Offences by Mode of Transport

Year	Bus	Train	Tram	Other*	Total
1993	237	1 145	62	145	1 589
1994	123	1 300	30	65	1 518
1995	640	2 261	102	224	3 227
1996	1 141	2 789	142	206	4 278

*Denotes offences detected at Adelaide Rail Station and other stations and can be included as train offences.

Total Number of Cautions Issued in Relation to Ticketing Offences

Year	Number
1993	14 233
1994	21 059
1995	17 121
1996	21 939

SEATON HIGH SCHOOL

132. **The Hon. CAROLYN PICKLES:**

- 1. Has the Seaton High School Council been consulted and agreed to plans to redevelop the school to meet undertakings given at the time of the closing of the West Lakes High School?
- 2. What are the details of the total program, including stages and costs for the redevelopment of the Seaton High School?
- 3. (a) Why has the commencement date for the redevelopment for the Seaton High School been delayed from August 1995?
 - (b) Is the work still scheduled to commence in March 1997?

4. Why is the stage one upgrade limited to \$1.3 million given that the School Council has identified that the West Lakes Oval is being advertised for \$1.7 million and that the Council has identified that a modest renovation of the western building and administration area has been costed at \$2.5 million?

The Hon. R.I. LUCAS:

1. The plans for the redevelopment of Seaton High School have been developed in conjunction with representatives of the school, including the Seaton High School Council.

2. The project budget was recently increased from \$1.3 million to funding of up to \$1.675 million to allow for the redevelopment of the teaching accommodation of the western building as a single staged project. No commitment has been given to further stages of development.

3. (a) The project progress has been delayed due to requests by the school to investigate a series of alternative funding/financing options to that recommended by the Department. Each of these options were raised sequentially and needed to be investigated fully.

(b) Current planning is for the on-site commencement of this project in March 1997.

4. See 2 above.

SEALINK

133. **The Hon. T.G. CAMERON:**

1. How much does the Sealink receive in subsidies from the State Government?

2. (a) When did the Sealink begin to receive Government subsidies?

(b) For how long will these continue?

3. (a) Is the Minister aware of any freight carrier problems that may have occurred due to the cessation of the El Buraq freight service to Kangaroo Island?

(b) If so, what is the Minister doing to resolve them?

4. Is the Minister satisfied that the Sealink is able to deliver the service to Kangaroo Island by itself?

The Hon. DIANA LAIDLAW:

1 and 2. Following the decision in 1994 to cease the operation of the Island Seaway, meetings between the Department of Transport (DoT), the District Council of Kingscote and transport operators on the Island resolved that a subsidy should be paid to Kangaroo Island Sealink to offset costs incurred by operators travelling to and from mainland markets, via Cape Jervis and Penneshaw.

The immediate beneficiaries of the subsidy payment continue to be the transport operators who use Sealink services, with the ultimate beneficiaries being all who rely on freight transport to and from the Island.

The subsidy arrangement commenced on 1 April 1995 and will continue for 10 years (with a reduction of 80 cents in the subsidy rate for each year) unless an appropriate competitor enters the market.

An appropriate competitor is considered to be another vessel which has the capacity to carry 20 per cent of Kangaroo Island's cargo.

Considering the taxpayer subsidy to operate the Island Seaway in 1993-94 was \$5.4 million, the new subsidy arrangement to Sealink is a most efficient use of taxpayer resources. In the first year of the subsidy DoT paid \$517 000 to Sealink. In the second year of the subsidy to 31 December 1996 DoT paid \$370 000 to Sealink.

3. (a) There is no indication that cessation of the El Buraq service in June 1996 has created difficulties in the movement of freight.

All freight is being carried by Sealink, as was the case for the period between cessation of the Island Seaway service and commencement of the El Buraq operation.

(b) Not applicable.

4. On current indications, it is anticipated that Sealink will continue to provide an adequate service. However, if and when production on the island increases or the demand for goods increases the agreement with Sealink will cater for such growth, including the introduction of competitors.

COURTS ADMINISTRATION AUTHORITY

135. **The Hon. G. WEATHERILL:**

1. Which proposals put forward by the Council of the Courts Administration Authority have been rejected by the Attorney-General in the past 18 months, as stated by the Chief Justice in the 1996 annual report of the Courts Administration Authority (page 3)?

2. What are the reasons for these rejections in each case?

The Hon. K.T. GRIFFIN: The following proposals were in the Courts Administration Authority's 1996-97 budget submission. Due to the financial constraints on the State, none of these initiatives were, in the final analysis, approved by Cabinet for inclusion in the 1996-97 budget.

Committal Unit funding adjustment	\$259 000
Additional judicial appointment	\$292 000
Youth Justice—Port Augusta (2 x 0.5 positions)	\$53 000
Aboriginal Liaison Officer	\$62 000
Project Officer	\$45 000
Mediation Officer	\$119 000
SSW—Security upgrade	\$219 000
Court Security	\$221 000
Co-ordinator, Enforcement	\$34 000
Increase in Jurors fees	\$400 000
Community Relations	\$25 000
Holden Hill Court alterations	\$300 000
Supreme Court Complex upgrade	\$1 810 000

Against this should be acknowledged the substantial increase in capital works funds for the new Adelaide Magistrates Court—\$18.35 million in total, an increase of \$11.587 million. In addition, further funds were provided for the ERD Court Case Manager (\$61 000) and \$610 000 was provided for CPI increases in goods and services costs.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Education and Children's Services
(Hon. R.I. Lucas)—

Regulations under the following Acts—

Native Vegetation Act 1991—Exemptions

Racing Act 1976—Hindmarsh Stadium

Technical and Further Education Act 1975—College Councils

City of Elizabeth—Elizabeth Regional Centre Plan

Amendment—Report on Interim Operation

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

Veterinary Surgeons Board of South Australia—Report, 1994-95

Veterinary Surgeons Board of South Australia—Report, 1995-96

Regulation under the following Act—

Local Government Act 1934—Voting Papers

Workers Rehabilitation and Compensation Act 1986—
Tribunal Rules—Timing for Reconsideration of a
Disputed Decision.

PROPERTY TRANSACTION

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to read a copy of a ministerial statement being made today by the Premier about allegations concerning the former Minister for Primary Industries.

Leave granted.

The Hon. R.I. LUCAS: During the past week various allegations have been made about business dealings with the then Minister for Primary Industries, Hon. Dale Baker. In a ministerial statement made to the House of Assembly on Thursday 6 February Mr Baker refuted those allegations. Today, he intended to table further documents in the House of Assembly, providing evidence that he believes will clearly show that he had no conflict of interest in relation to the sale of a piece of land in the South-East and did not act improperly. I will seek leave at the conclusion of this statement to table those documents in this Chamber. The first is a letter from Hume Taylor and Co, barristers and solicitors, dated 11 February 1997 and signed by Mr W. F. Taylor setting out the facts and dates relating to the sale of land and his advice. It states in part:

On the facts outlined, there can be no question of any breach of the code [of conduct] by you. You did not use confidential information of the department, you were not aware that the department intended to purchase the property when the Banksia Company offered to purchase portion, nor did you interfere in any way with the sale to the department once its offer was accepted. There is also no breach on your part of the code which states that Ministers will cease to be actively involved in the day-to-day conduct of any professional practice or any business in which the Minister was engaged prior to assuming office.

I will table a letter from Mr Richard Yeeles, former Chief of Staff to the former Premier dated 10 February 1997, which supports the statement of Mr Baker that until Mr Yeeles approached the Minister he had no knowledge that the department had made an offer to buy the land.

This morning the Premier was advised by the Police Commissioner, Mr Hyde, that the Anti-Corruption Branch, acting on information provided to it by the Hon. Michael Elliott MLC, has commenced an inquiry. The Minister welcomes that decision, and informs the Premier that he has no fear of any inquiry or investigation, which he strongly believes will exonerate him, and has sought to take several days' leave, which the Premier has agreed to, and, if the inquiry proceeds to an investigation, has offered to stand aside from his ministerial position during that period.

At this stage the Anti-Corruption Branch inquiry is of a preliminary nature. If it decides to investigate further, the Premier will then accept the offer of the Hon. Dale Baker to stand aside for the duration of that investigation. Mr Baker has offered his full cooperation with any such inquiry or investigation. I seek leave to table a copy of the letter from Mr Richard Yeeles and the letter from Mr W. F. Taylor.

Leave granted.

FLOODS

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to table a copy of ministerial statement made in another place today by the Premier on the subject of the flood problems in the north of the State.

Leave granted.

TAFE DEGREE COURSES

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to table a copy of a ministerial statement made by the Minister for Employment, Training and Further Education on the subject of TAFE offering degree courses.

Leave granted.

ELECTORAL COMMISSIONER'S REPORT

The Hon. K.T. GRIFFIN (Attorney-General): I seek leave to make a ministerial statement on the report of the Electoral Commissioner.

Leave granted.

The Hon. K.T. GRIFFIN (Attorney-General): On 7 November 1996, I introduced into the Legislative Council the Electoral (Miscellaneous) Amendment Bill 1996. In my second reading speech I referred to a draft report on the 11 December 1993 parliamentary elections which had been provided to me by the Electoral Commissioner. The draft report was provided to my office by the Electoral Commissioner in November 1995. The final report was not provided until 6 November 1996. The report is a comprehensive review

of the electoral administrative arrangements, the election period and the post-election period.

It had always been my intention to release the report publicly, but I overlooked doing so at the time the Bill was introduced. I was reminded of this, when I was contacted by the Opposition yesterday seeking a copy. That prompted me to check the position. I now seek leave to table the report.

Leave granted.

QUESTION TIME

SCHOOL TEXTBOOKS

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about school fees and schoolcard.

Leave granted.

The Hon. CAROLYN PICKLES: The Opposition has been informed by parents of children attending the Blakeview Primary School and the Willunga High School that children are being denied textbooks because school fees have not yet been paid. In the case of the Willunga High School, I acknowledge action taken today by the Minister's office to correct that situation. In another case a parent has paid half the fees and the child has received half the books. The Opposition has also been informed by the Ministers department that, for parents in receipt of schoolcard with children attending year 8, it must be used to pay a book deposit of up to \$100 which largely negates the value of the schoolcard allowance. My questions from the Minister are:

1. Does the Government allow schools to withhold textbooks, and if not will the Minister issue a public statement to that effect?

2. Does a book deposit fall within the Minister's policy of compulsory fees which can relate only to materials and services charges; and, if not, will the Minister issue a public statement that book deposits are not to be charged to children in receipt of school card?

The Hon. R.I. LUCAS: I will take advice on that matter and bring back a reply.

PROPERTY TRANSACTION

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 the purchase of the Greenways land.

Leave granted.

The Hon. R.R. ROBERTS: A number of questions have been asked by the Opposition and the Democrats about a parcel of land at Greenways in the South-East which comprises sections 35, 36, 37 and 190 of the hundred of Smith. When we visited the South-East in 1996, the Opposition was advised that the land in question had been on the market for a long period of time and that bids were being received from interested parties by the agent. I am advised by my constituent that the agent was not happy with the highest bid that he was able to obtain and that he then informed my constituent that he would be opening up discussions with the then Minister for Primary Industries (Hon. Dale Baker). It was not made clear in what sense he would open up those discussions with Mr Dale Baker, whether it would be as either the Minister for Primary Industries or a private citizen.

I note from the papers tabled in this place last week that a Mr Dale Baker inspected the land on 12 March 1994.

Members interjecting:

The Hon. R.R. ROBERTS: According to the diary note, the land was inspected on 12 March 1994 by Mr Dale Baker. A further diary note states that on 29 March 1994 a Mr Dale Baker rang and stated that he was interested in purchasing 500 acres along a parallel strip of Jorgenson's Lane. It was also alleged that the land in question had previously been assessed by PISA Forestry for its suitability for growing pine trees. This was prior to this sale process.

Anecdotal evidence that was presented suggested that, according to the assessment, the majority of the land was not suitable for growing pine trees. Subsequently, I am advised that the land was bought for 50 per cent higher than the highest bid by public tender by PISA Forestry. My questions to the Minister are:

1. Was the land at Greenways comprising sections 35, 36, 37 and 190 of the hundred of Smith ever assessed by PISA Forestry in years prior to the last sale processes?

2. If so, what did that assessment show and will he table a copy of any such assessment?

3. Why did the department ultimately pay such a high price for the land in question?

The Hon. K.T. GRIFFIN: What surprises me is that the Opposition knows from the ministerial statement that an inquiry is being undertaken by the Anti-Corruption Branch, but members opposite still want to hop on the back of the Democrats who have made the report and try to get a bit of mileage out of it by persisting with these detailed questions which, I am sure, will be the subject of any inquiry. The fact of the matter is that there is an inquiry. I would have thought that the sensible thing to do would be to wait until the Anti-Corruption Branch indicated the outcome of its inquiry. The Minister, as stated in his ministerial statement, indicates that he is taking leave.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: The Premier has accepted that. If the issue goes any further, that is another matter.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: I represent not the Minister for Finance but the Minister for Primary Industries. The Opposition and the Democrats are trying to milk it for a bit more mileage in the light of what has been happening. They are entitled to try to milk it if they want to, but it is a cow that has run dry. In the circumstances it would be better to wait for the inquiry by the Anti-Corruption Branch, which is independent of Government. Let it get on with the job and we will deal with the issues later if they are not answered by the ACB.

DUCK HUNTING

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation prior to asking the Minister for Transport, representing the Minister for the Environment and Natural Resources, a question about duck hunting permits.

Leave granted.

The Hon. T.G. ROBERTS: As the shadow spokesman for animal welfare many letters are crossing my desk in relation to duck hunting as we move into the new duck hunting season. The previous Government had a policy of identification and of making sure that shooters took a test of

ability to identify water birds as a condition of obtaining a hunting permit to shoot ducks for recreation and sporting purposes. Generally that had bipartisan support as a method of making sure that species on the endangered list were not shot for sport, hunting or recreation and giving those bird numbers a chance to build up.

I am reliably informed that this test is not at all difficult or demanding and that most hunters welcomed it to keep out the once a year shooters who were doing a lot of damage to the reputation of many hunters who hunted in a way that they felt was respectful to property and to the environment. That is their view. From a video they had to make identifications and applicants could study them at their leisure and make application for their permit. The test requires applicants to make some effort to distinguish between game species and legally protected species. It is clear that many people are not prepared to make the effort because the number of licensed hunters dropped off after that measure was introduced, which indicated that many people out there held licences and owned firearms for a one-off shot during the year and in many cases it was more of a social event in regional areas than anything to do with their interest in sport or recreation.

I see from a departmental document that the Minister for the Environment and Natural Resources recently announced his intention to waive this requirement for some category of hunters. It comes in the form of a document sent to the Conservation Council for its opinions.

The Hon. A.J. Redford: They gave it to you, did they?

The Hon. T.G. ROBERTS: It is not a leaked document. They forwarded the document to me after reviewing it. It was addressed to Jasmine Rose, the President of the Conservation Council. It was advice given to me and concern was shown, as the draft amendments to the regulations indicate. I will read it to edify the honourable member. The recommendation is:

To direct and/or establish the proficiency of a person in identifying species of water fowl;

Define 'host hunter' to mean any hunter who has a current South Australian endorsed hunting permit and has been approved by the director.

The offensive line, as far as the Conservation Council is concerned, is:

Define 'resident visiting hunter' to mean a resident of Australia who has not previously been granted an endorsed hunting permit and to define 'non-resident visiting hunter' to mean a non-resident of South Australia.

This is an indication that there will be host hunters and possibly exempt non-resident hunters who will not have to pass the test. This is the concern of the Conservation Council. I suspect it may even be a concern of some responsible hunters to whom I made reference earlier. They will be hunting alongside novice hunters from either overseas or interstate, and most hunters understand that it is very difficult for host hunters to keep in contact with novice hunters during shoots. It could be a dangerous practice for the Government to endorse if it drops the defined definition of a hunter. The Conservation Council and Opposition would like to know if it is to be loosened up. My questions are:

1. Has the Minister abandoned the policy of granting exemptions from identification tests to interstate and novice hunters, possibly from overseas?

2. How does the Government intend to police the potential for non-compliance with the new category of hunter?

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

BUSES, SUBURBAN STREETS

In reply to **Hon. SANDRA KANCK** (6 November 1996).

The Hon. DIANA LAIDLAW: In reference to the honourable member's statement that the 277 buses that turn around via Pennington Terrace, North Adelaide, every day are the result of recent diversification in the management of Adelaide public bus services, I advise that most of those buses were using Pennington Terrace prior to the competitive tendering program commencing.

Since the 1980s, many southern bus services, which previously terminated in Victoria Square, have been extended through the City to improve passenger access to the City, and these services have used the Pennington Terrace loop. Prior to the commencement of Serco's operation in Adelaide in January 1996, 230 buses per day were using Pennington Terrace.

In January 1996 and January 1997, with the commencement of Serco's operation in the Outer North and Inner North, a number of through linked services were 'de-linked' in the city and the number of buses using the Pennington Terrace loop was increased.

To reduce the impact of bus traffic in Pennington Terrace, the City of Adelaide suggested to the Passenger Transport Board (PTB) that a bus turning loop be constructed in the Adelaide Oval car park off War Memorial Drive and requested that the Board contribute half the cost of this turning loop.

Since that time it has become apparent that the SA Cricket Association and Tennis SA are concerned about the loss of parking in the car park that would accompany construction of the turning loop. The City of Adelaide is now reviewing this, and a number of other alternatives.

Following are answers to the honourable member's specific questions.

1. The proposal for a turnaround in the Oval car park involved no further incursion into the Park Lands. Council is now looking at other options. Any decision regarding use of Park Lands would be the council's.

2. The total cost of the Adelaide Oval turn around was estimated by the City Council at \$127 000. The PTB agreed to contribute half of this amount.

3. No private bus companies will initially be using this facility as only buses from southern suburbs, which are all operated by TransAdelaide or Hills Transit, will be using the turn around. Neither Hills Transit nor TransAdelaide are contributing to the cost of providing the turning circle; if a private operator was using the turning circle it is expected that the same situation would apply.

4. The PTB carried out detailed studies of the affects, in terms of volume, of buses terminating in the City, and examined alternative options.

5. It is not known whether local residents were consulted before the decision was made in the late 1950s to allow buses to turn around in Pennington Terrace.

6. See the answer to question 4.

PATHOLOGY SERVICES

In reply to **Hon. SANDRA KANCK** (4 July 1996).

The Hon. DIANA LAIDLAW:

1. The Minister for Health is aware that the research undertaken at the Women's and Children's Hospital (WCH) Laboratories is of world class standard and it is intended that this research continue. The Health Commission already provides, through the Operating Funds of the WCH, substantial funding support for research infrastructure.

2. In view of the fact that a benchmarking exercise is being undertaken, it is quite erroneous to suggest that profitable work is to be handed over to a private company. The Health Commission provides substantial support through the Hospital's Operating Fund for research infrastructure.

3. It is understood that private pathology companies do refer complex and difficult pathology tests to the public sector and it is intended that this will continue.

4. No decisions have been taken to tender out public pathology in South Australia.

5. The Government has no intention of handing over the most profitable pathology testing undertaken at the WCH to an Adelaide based private pathology company.

There is, however, an ongoing need to ensure that pathology testing at the WCH and elsewhere within the public health system of South Australia, is provided in the most efficient and cost effective way possible. To this end, the WCH has been asked to examine ways in which its costs can be reduced and negotiations are ongoing between the WCH and the Health Commission, to determine an appropriate benchmark level for routine pathology. The Minister is confident that the WCH will be able to meet this challenge and achieve an efficient and cost effective benchmark for its routine pathology testing.

At the same time, the Health Commission is exploring with the WCH and the IMVS, whether there are any benefits in merging adult pathology services between the WCH and the IMVS.

A scoping study has commenced to examine this aspect and it would be premature to indicate what the likely outcome will be.

The WCH has an excellent relationship with private pathology providers and it is true that a substantial amount of private sector pathology requests are referred to the WCH, where specialist expertise is required. It is intended that this will continue.

PROPERTY TRANSACTION

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Education representing the Minister for Finance a question in relation to conflict of interest.

Leave granted.

The Hon. M.J. ELLIOTT: In commencing my question, I note that the ministerial statement spoke of 'inquiry' but there was no indication as to whether or not it was a formal inquiry.

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: Last week I asked a series of questions of the present Minister for Finance and Minister for Mines, Hon. Dale Baker, about the purchase of a 850 hectare property known as Gouldana near Greenways in the South-East which occurred while he was Minister for Primary Industries, from 14 December 1993 to 22 December 1995. I have been informed that on 27 August 1994 Dale Baker told Roger Watson, the land agent charged with the sale of Gouldana, that the Woods and Forests regional office had no authority to make an offer for the land, that a ministerial review of the land could take six months and that he (Dale Baker) would find a way around the conflict of interest issue.

I have been told that on 30 August Dale Baker told the land agent, Mr Watson, that he would get a call from a man—whose name I have and who is a friend of Mr Baker's—and later that day that same person faxed through an offer for the same 500 acres of land that Dale Baker had been interested in. I seek leave to table a letter—

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: I seek leave to table—

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: I seek leave to table a letter which is dated 30 August 1994 and which I have numbered 5 from this person to the Elders sales consultant—

The Hon. L.H. Davis: Have you given this to the police?

The Hon. M.J. ELLIOTT: They have not asked for it.

The PRESIDENT: Order!

Members interjecting:

The Hon. T.G. CAMERON: On a point of order, Mr President, we cannot hear what is going on.

The PRESIDENT: Order!

The Hon. T.G. Cameron: I want to hear him, not the interjectors.

The PRESIDENT: Order! I know it is a contentious issue, but none of us can understand it or hear it if there are constant interjections.

The Hon. Anne Levy: Hear, hear!

The PRESIDENT: That includes you!

The Hon. M.J. ELLIOTT: Mr President, I seek leave to table a letter numbered 5 dated 30 August 1994 from this person to the Elders sales consultant, Mr Roger Watson, which makes an offer of purchase for part of the property, which runs parallel to Jorgenson Lane, for the purpose of growing banksias.

Leave granted.

The Hon. M.J. ELLIOTT: I also have a number of documents which support the questions asked last week, and I seek leave to table a letter numbered 1 from Mr Roger Watson to Mr Alan Gray, manager of the South-East forests for Primary Industries, which confirms that the Department of Primary Industries was interested in the Gouldana property from 28 February 1994 onwards.

Leave granted.

The Hon. M.J. ELLIOTT: I seek leave to table a document numbered 6, a copy of diary notes kept by the Elders land agent, Mr Roger Watson, which indicate that Alan Gray of Woods and Forests inspected the property on 9 March 1994 and that Dale Baker inspected the property on 12 March 1994, and also that on 29 March Dale Baker rang the land agent and expressed an interest in purchasing 500 acres along a parallel strip of Jorgenson Lane but was waiting until the Native Vegetation Authority and Woods and Forests stated their position.

Leave granted.

The Hon. M.J. ELLIOTT: I seek leave to table a document numbered 7 which is a copy of diary notes kept by Mr Roger Watson. The document confirms that on 21 March, Woods and Forests was definitely interested in the Gouldana land. It shows that on 23 May the native vegetation survey was completed. It confirms that on 6 June Mr Watson received a letter from Banksia flowers. It reveals that, in a phone conversation with Alan Gray on 6 June, Mr Watson was told that Woods and Forests was waiting for written confirmation from the Native Vegetation Authority before presenting it to the Minister. It shows also that on 15 June Alan Gray received a letter from the Native Vegetation Authority and would draft a letter the following day, on Friday, which would be at Dale's office early the following week.

Leave granted.

The Hon. M.J. ELLIOTT: I seek leave to table a letter numbered 3 dated 20 July 1994 from Roger Watson to Alan Gray of Woods and Forests which confirms that the Woods and Forests' offer for the property had been accepted by the vendor.

Leave granted.

The Hon. M.J. ELLIOTT: I seek leave to table an unnumbered document confirming that settlement on the Gouldana property took place on 11 November 1994.

Leave granted.

The Hon. M.J. ELLIOTT: My questions to the Minister are:

1. Does the Minister deny that on 27 August 1994 he told the land agent in charge of the sale of Gouldana that there would be another offer for the land?

2. Was the Minister aware that on 30 August 1994 a friend of his had made an offer by facsimile for an identical

parcel of land that the Banksia Company had sought previously?

3. Will the Minister answer all the questions previously asked of him last Wednesday rather than ducking around most of them as he has done so far?

The Hon. R.I. LUCAS: It seems to be a highly unusual way for the Hon. Mr Elliott to be going about this particular Question Time today. The Hon. Mr Elliott has just indicated that he has laid a complaint with the police—

The Hon. M.J. Elliott: No, that is not accurate.

The Hon. R.I. LUCAS: Well, Mr President, the advice provided to the Government is that the Hon. Mr Elliott laid a complaint—

The Hon. M.J. Elliott: Not accurate.

The Hon. R.I. LUCAS: Well, that is the advice provided to the Government.

The Hon. L.H. Davis interjecting:

The Hon. T.G. CAMERON: On a point of order, Mr President, who is speaking—the Hon. Mr Lucas or the Hon. Legh Davis? The Hon. Legh Davis is doing more talking from his seat than the Hon. Mr Lucas is doing standing up.

The PRESIDENT: Members would be wise to button their lips and listen to the answer, as they should have listened to the question. There is no point in everybody talking at once. The Minister for Education.

The Hon. R.I. LUCAS: The *Hansard* will record that, in response to an interjection this afternoon, the Hon. Mr Elliott was asked whether he had given that information to the police and he said, 'They didn't ask for it.' What the Hon. Mr Elliott is indicating by that is that he did not provide information to the police even though the issue was being investigated. The Hon. Mr Elliott deliberately withheld information in relation to this issue so that he could raise it under privilege in the Parliament during Question Time this afternoon. That is the attitude and approach that has been adopted by the Hon. Mr Elliott: he indicated that the reason he did not give that information which he tabled today to the police was because they did not ask for it.

If the Hon. Mr Elliott wants to have the issue pursued, there is a course of action which he has followed in relation to ensuring that the police become involved. As has been indicated today, that is occurring. As I said in response to the interjection, the Hon. Mr Elliott has indicated that he held on to this material so that during Question Time today he could stand up in this Parliament and table it rather than provide it to the police. That is why I am saying—

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order! The Hon. Terry Cameron was complaining about not being able to hear: I cannot see how he can hear and talk at the same time. The Minister for Education.

The Hon. R.I. LUCAS: Mr President, I suspect that it was a case of the pot calling the kettle black. That is why I am saying that I believe it seems to be an unusual way to go about the complaint that the Hon. Mr Elliott is raising. Perhaps he has his own motives in relation to this issue? If he wants the matter investigated, why would he not provide all the information he had to the police? Why would he not provide the information to the police, as he was advised by the Attorney-General last week? Why—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: I thought you wanted to listen to me. Why would he not give all the information to the police so that the police could make investigations?

The Hon. L.H. Davis: Because they didn't ask for it!

The Hon. R.I. LUCAS: That was the issue: they didn't ask for it. One suspects—and it is up to the Hon. Mr Elliott to defend his approach in this matter—that the Hon. Mr Elliott wanted to raise the issue in the Parliament in front of the media (although I think he has failed in that) during Question Time today.

The Hon. R.R. Roberts interjecting:

The PRESIDENT: The Hon. Ron Roberts will come to order.

The Hon. M.J. Elliott interjecting:

The Hon. R.I. LUCAS: I think that events have overtaken you. I will refer the issue. If the Hon. Mr Elliott is going to refuse to provide information to the police because they didn't ask for it—

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: Perhaps the Hon. Mr Elliott would like to send a copy of the *Hansard* to the police to assist them with their inquiries. The Hon. Mr Elliott might like to autograph a copy of the *Hansard* so that he gets a little more publicity in relation to the issue. All I am suggesting is that, if the Hon. Mr Elliott has information that would assist the police in relation to the inquiries that he has asked for, he ought to share that information with the police. In my judgment he should not come into this Parliament having said that he did not give information to the police because they did not ask for it. He ought to share the information with the police and allow them to proceed with the inquiry that has evidently been called for. As I said, the advice provided to the Government has been that, as a result of actions taken by the Hon. Mr Elliott, the inquiry is proceeding. I will certainly refer the questions to the appropriate Minister and seek some sort of response to the particular questions.

The Hon. M.J. ELLIOTT: I seek leave to make a personal explanation.

Leave granted.

The Hon. M.J. ELLIOTT: The Hon. Mr Lucas, not knowing the facts, has really got things wrong. Last Thursday, I think it was, I received further information, and I had reason to have some fear that that information, which was sitting in certain files, may or may not survive—

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: Mr President, there is information—

The Hon. L.H. Davis: What did you do—

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: Information I had received was of the gravest concern. I knew where the information was kept. I did not have immediate access to it but I had reason to have concern about—

Members interjecting:

The Hon. M.J. ELLIOTT: It is.

The Hon. R.I. LUCAS: Mr President, I rise on a point of order. If the honourable member is going to make a personal explanation, on my understanding of Standing Orders, he must highlight where he is claiming to be misrepresented and then must respond to that claim. This is not an opportunity for him to debate the whole issue.

The PRESIDENT: Order! There is a point of order there. That is a reasonably accurate description of what is required in a point of order: that the honourable member explain where he was misrepresented.

The Hon. M.J. ELLIOTT: I was misrepresented in a number of ways, Mr President. It was claimed that I had

lodged a complaint and it was claimed also that I had withheld information from the police.

The Hon. Diana Laidlaw interjecting:

The Hon. M.J. ELLIOTT: You do not really want me to answer it, do you? At least I try to address issues when they are raised.

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: In terms of the issue of lodging a complaint, because I had cause for concern about whether or not certain files were going to be safe or not, I made an inquiry. First, I went to DPP and was told that the matters I was concerned about were not appropriate for them to discuss. They referred me on. I literally did not know where to go. They said I should go to the Anti-Corruption Branch. I made contact with the Anti-Corruption Branch and it sent officers down. At that stage I told them that matters had been raised in Parliament.

The Hon. R.I. Lucas: By whom?

The Hon. M.J. ELLIOTT: By both myself and the Opposition. In particular, I had not tabled certain documents. Certain documents had been tabled in the other place that had an identifiable source showing where they could be found. There were a couple of sources but there was one in particular that I had concern about. I said to the Anti-Corruption Branch, 'I am not sure what to do just to preserve the integrity of those files because I do not know where things are going.' I did not lodge a complaint. I said, 'I do not know where things are going and I just do not know what to do to protect files that may later prove to be important.' They said, 'Well, this is all done in confidence.' That is where things had gone. They knew what documents I had because I referred to them as I was speaking to them. They knew I had them and at that stage they said, 'Thank you very much,' and they left.

The Hon. R.I. Lucas: Did you tell them you wanted—

The Hon. M.J. ELLIOTT: I did say to them that I was fearful that the original documents needed protection. That is all I said.

Members interjecting:

The PRESIDENT: Order! I ask the honourable member to confine his remarks to showing where he was misrepresented.

The Hon. M.J. ELLIOTT: Those are the two misrepresentations. First—

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: The Attorney-General suggested last week that I should lodge a complaint. He did that last Wednesday, but I did not—

Members interjecting:

The PRESIDENT: Order! This is a personal explanation and not a bun fight. I ask honourable members not to interject and allow the Hon. Mr Elliott to complete his personal explanation as quickly as possible so that we can get on with the business of questions.

The Hon. M.J. ELLIOTT: Thank you, Mr President. I thought it was the responsible thing to do that, if you believed there was potential—and at that stage I believed there was—for something more serious, then at the very least—

Members interjecting:

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: —the most important and central documents to the whole issue might need some protection. The fact that there may or may not have been a

police investigation and the fact it became public occurred only because the Premier came into the Parliament and said there was an inquiry. He still has not said whether it is an official inquiry. I was not seeking to initiate a police inquiry: I was seeking to protect those documents.

Members interjecting:

The PRESIDENT: Order! The honourable member is debating the subject.

Members interjecting:

The PRESIDENT: Order! Can the honourable member point out where he has been misrepresented? The honourable member is now debating the subject and I will have to rule him out of order.

The Hon. M.J. ELLIOTT: The second issue is whether or not I had withheld documents from the police. The police knew what information I had. They did not ask for it. At that stage they appeared to say, 'Thank you very much,' and they left. To suggest that I had withheld information is absolutely absurd.

FLOODS

The Hon. CAROLINE SCHAEFER: Can the Minister give an up-to-date report on the condition of roads and infrastructure in the north of the State since the exceptional rains of last week?

The Hon. DIANA LAIDLAW: I thank the honourable member and many other members for their interest on this subject. I have been receiving daily updates—sometimes two or three times a day—on road and rail conditions. It is important to note that we are looking at two regions for which the Department of Transport is responsible. One is the northern and western region, which is essentially north and west from Port Augusta, where virtually every unsealed road is closed. There are a few exceptions where the roads are open to four-wheel drive vehicles only, and this includes the recently opened section of the Strzelecki Track between Moomba and Innamincka. All sealed roads are currently open, although extreme care is required at creek crossings and locations where damage to drainage structures has occurred. However, the situation is constantly changing because of the continuing rainfall. It is important to note early estimates of costs. Because of the rain and the condition of the roads accurate estimates have not been made at this time. As to the sealed road network in the north and north-west section, the early estimate is \$500 000 for the Stirling North to Lyndhurst road; \$500 000 for the Stuart Highway; \$80 000 for the Orroroo area; and \$450 000 for the Rudall to Cleve road, with an estimated reinstatement cost of \$1.53 million.

As to the unsealed road sections in the northern and western regions, the early estimates are \$1 050 000, making a total of approximately \$2.58 million for these regions at this stage. As to the Mid North region and the Barrier Highway things become even more serious, as many members would know from the aerial inspection. However, a number of people on the ground have been making assessments, and there has also been a very quick response from contractors in Broken Hill on behalf of the Department of Transport. Temporary diversions have been under construction, and it is hoped that they will be completed by mid Wednesday, 12 February. However, it depends on the amount of further rain, and we understand from the weather forecast that there will be a return of heavy rain to this region in the very near future.

Engineers are closely examining most structures. Three bridges have been of considerable concern. They appear to be in dreadful condition, but at this stage they have been assessed to be sound although the approaches have been lost. As of yesterday, the estimated damage to the roads in the Mid North of the State, including the Barrier Highway, amounts to \$2.1 million. So, the cost in roadworks alone is about \$4.75 million, and the rain is continuing to fall.

This affects not only farming, grazing and tourism: the Pasmenco railway line traffic from Broken Hill to Port Pirie has also been a matter of considerable anxiety because of the state of the railway. Some 87 kilometres of rail track has been damaged at this stage. With Australian National, the Department of Transport has been making some assessments here and it looks at this stage as though it will not be operational for some eight weeks. Pasmenco, we have been advised, has only a three week stockpile of concentrate for smelting. While it may be able to do some maintenance work and other business, there would be insufficient maintenance work for an eight week period.

So, approval has been given today through the Department of Transport for a temporary road train route to be established from the South Australian-Victoria border at Yamba (route 20) to Warnertown on route 1. That will be an extraordinarily important link for Broken Hill and for other traffic through, because we must supply Port Pirie and other heavy transport east-west with road access. So, we will be providing road train access on route 20—Yamba, Loxton, Moorook, Kingston-On-Murray, Kingston Bridge (where there will be very restricted conditions of operation, with road trains permitted to go no more than 10 kilometres an hour over that bridge), Overland Corner, Morgan, Eudunda, Kapunda, Tarlee and, on route 32, Black Springs, Hanson, Burra Bypass, Hallett, Jamestown, Caltowie, Warnertown and return. So, extraordinary steps are being taken to deal with this situation.

I know the Hon. Ron Roberts has an interest in matters at Port Pirie, as does the Hon. Caroline Schaefer throughout all northern areas. I particularly appreciate her question, and indicate that enormous effort and praise must go to the Department of Transport workers for the manner in which they have assessed this situation and made alternative arrangements for heavy vehicle traffic, particularly in light of the problems with the rail.

TAXIS

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport a question about the Minister's reply in the Chamber on 4 February 1997 dealing with centralised booking services.

Leave granted.

The Hon. T.G. CAMERON: Last Tuesday, in reply to questions from the Hon. Sandra Kanck concerning delays in accrediting taxi radio companies, the Minister stated:

... I understand that of all of the centralised booking services, Des's Cabs has been the last to sign. All of them have now signed and these agreements and accreditations have now been finalised.

The Minister appears to have given the Parliament incorrect information on two accounts. First, it appears that the Minister has failed to take blue plate car hire companies into consideration. Blue plate companies that operate two or more vehicles are, by definition, under the Passenger Transport Act 1994 section 29(6), centralised booking services. Subsection (6) states:

... the prescribed number is two, or such greater number as may be prescribed by the regulations.

Information I have received shows that there are at least 15 blue plate companies, those that have more than two vehicles, and are thus defined as centralised booking services who have not signed an agreement. Secondly, section 29(5) of the Act states:

The board must ensure that a standard determined by the board under subsection (4)(b) is widely published and made reasonably available to interested persons.

To my knowledge, none of the centralised booking services so far accredited have fulfilled this requirement. My questions to the Minister are:

1. Was the Minister aware of section 29(5) and (6) when she gave her statement '... all of them have now signed and these agreements and accreditations have now been finalised'?

2. Does this include all of those taxi companies which fulfil the requirements under section 29 and which are advertised in the Yellow Pages 1959 and 1960?

3. Can the Minister explain why the large number of central booking services that are presently operating in Adelaide providing hire car or blue plate services have not received accreditation under section 29 of the Act?

4. Can the Minister assure the Parliament that the publication of standards as required under section 29(5) of the Act have taken place?

The Hon. DIANA LAIDLAW: The advice I was provided with from the Passenger Transport Board, anticipating last week that I may get a question on this, was as I advised the Parliament: that all the centralised booking services had now signed and therefore there would be no case to answer in the court and the court would be advised accordingly. The advice that I was provided with was the advice that I, in turn, provided to the Parliament. Then, because I had made further comment on the matter in answer to a question from the Hon. Sandra Kanck, I referred the matter back to the Passenger Transport Board and asked them on Wednesday, I believe, to go over the answer I had given, to ensure I had not provided any incorrect or misleading information. I was given the assurance that I had not.

The Hon. T.G. CAMERON: Can the Minister assure the Parliament that the publication of standards as required under section 29(5) of the Act have taken place?

The Hon. DIANA LAIDLAW: I will seek that information.

WATER, HILLS

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for the Environment and Natural Resources, a question about Adelaide Hills ground water.

Leave granted.

The Hon. R.D. LAWSON: It was reported recently that winemakers and councillors in the Adelaide Hills have expressed concerns about the amount of spring water being extracted. It is claimed that there is insufficient data concerning the level of production, and such data as exists is alleged by at least one councillor to be inadequate. Prominent winemakers Mr Brian Croser and Mr Stephen George are reported as advocating the imposition of a levy on spring water extracted. A ministerial planning amendment report containing guidelines for spring water production is currently in the course of preparation. My questions to the Minister are:

1. Does the Minister have evidence to suggest that spring water production is endangering supplies of ground water for irrigation in the Adelaide Hills?

2. Does the Minister support the imposition of a levy or some other form of control, such as quotas, over ground water?

3. What steps, if any, does the Minister propose to take to resolve the conflict between two newly developing and highly significant industries in the Adelaide Hills?

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

SCHOOL RETENTION RATES

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about retention rates.

Leave granted.

The Hon. P. HOLLOWAY: Statistics issued by the Australian Bureau of Statistics for 1996 show a further decline in the retention rate to year 12 in South Australia. The average rate has now fallen from 92 per cent in 1992, when South Australia had the best rate of all States, to 68 per cent. This is 3 per cent less than the Australian average and is well behind rates in other States: in Victoria, it is 75 per cent; in Queensland, 77 per cent; in Western Australia, 71 per cent; and in the ACT, 91 per cent.

The Minister claimed last year that this decline was largely a result of the ABS not counting part-time students undertaking SACE over two or three years. However, the retention rate, with or without part-time students, has fallen dramatically as the total number of children undertaking year 12 (either full-time or part-time) continues to fall. Of equal or more concern is the apparent slide in the number of children completing year 11. My questions to the Minister are:

1. Will he confirm that the total number of enrolments at both primary and secondary schools has fallen this year compared with 1996, and will he provide the numbers for 1996 and 1997?

2. How many students are enrolled in year 11 this year, and how does that figure compare with 1996 enrolments?

3. How many students are enrolled in years 12 and 13, and how does that compare with 1996?

4. Finally, has the retention rate to year 12 at the commencement of this year again fallen compared with 1996, and what is the rate for 1997?

The Hon. R.I. LUCAS: The issue of retention rates has been addressed by me as Minister on a number of occasions. I have indicated in the past, and I did so again when the 1996 figures were released in January, that one of the reasons for the recorded decline in the retention rate to year 12 is the fact that South Australia has almost the highest percentage of all the mainland States—I think Tasmania might be ahead of us—in terms of the numbers of part-time students completing our South Australian Certificate of Education at both years 11 and 12.

With the introduction of the South Australian certificate by the Labor Government in 1992 or 1993, the structure of SACE very much encouraged young people to complete the certificate, particularly the year 12 section, over two or three years, if they so wished. Large numbers of students have taken up that encouragement. My recollection—and I will check the exact figure—is that between 25 and 30 per

cent of all our year 12 students last year were actually part-time students. Of that number of students—I will check the figures, but I think it is between 8 000 and 10 000—25 to 30 per cent are real students undertaking real year 12 studies, but they just happen to be undertaking them on a part-time basis.

That is happening for a number of reasons. Students who want to maximise their score in order to get into university believe that their chances may be maximised by doing two or three subjects a year rather than a full course load of five subjects. It may well be for financial reasons: they want or need access to income through a part-time job. It may just be that part-time study as opposed to full-time study suits them. There are many reasons, and the system under both the Labor Government and the Liberal Government has encouraged that.

In 1992, it peaked at 92 per cent. I have spoken before of the reasons for that peak. It went into a tailspin under the Labor budgets of 1992 and 1993. That figure of 92 per cent declined significantly under those two Labor budgets, and it has continued to decline significantly under at least the first two Liberal budgets. The 1996 budget would have an impact on the 1997 figures, so we cannot make a judgment about that one yet. However, certainly the tailspin continued in a significant way under those first two Labor budgets and, to be fair, it has continued under the two—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: No. The last two Labor budgets and then the first two Liberal budgets. So the tailspin has commenced—

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: No. The point I am making, and I have made it before, is that the 1992 budget governed spending in the 1993 school year and the 1993 budget governed spending in the 1994 school year because the incoming Government did not change the budget.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: No. The Hon. Paul Holloway is not telling the truth when he makes that claim. The Government's budget reductions were introduced in the 1994 budget and in education they had no impact until the 1995 school year. The point that the Hon. Paul Holloway—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: No. There was no budget cut in the 1993-94—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: There was no budget cut. The Labor budget that was allocated was there.

The Hon. P. Holloway: You didn't spend it all.

The Hon. R.I. LUCAS: In relation to the recurrent spending on teachers—

The Hon. Anne Levy interjecting:

The Hon. R.I. LUCAS: We did spend all the money in relation to teachers and SSOs in that budget year of 1993-94. Any under-spending was essentially in the capital works area. In relation to programs delivered in schools by teachers and staff, there were no changes in the 1994 calendar school year. The changes were first implemented in the 1995 calendar school year as the result of the 1994 budget.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: The Hon. Paul Holloway will have to reassess at least that aspect of his claims. In relation to the 1997 enrolments as compared to those for 1996, I think the honourable member asked me to confirm whether there has been a further reduction. I cannot confirm that. The early

advice is that it has almost been exactly the same with about 176 000 or 177 000 students in Government schools. There has been a change in terms of the mix—a decline in primary and an increase in secondary—but in terms of the total number, that is roughly the same.

In terms of whether we can do the calculations for retention rates, my understanding—which I will confirm—is that those calculations are done on the basis of July enrolments rather than February enrolments. If that is so, it would be inappropriate or even misleading to do calculations on the basis of February figures and try to compare them with July figures from previous years in the time series.

The Hon. Diana Laidlaw: It probably won't stop them.

The Hon. R.I. LUCAS: It mightn't stop the Labor Party, but certainly this Government will not be a party to misleading the people and it will provide accurate information only, by which a fair comparison can be made.

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: Exactly. If I can provide any further information, I will bring back a further response.

CENTRE FOR LANGUAGES

In reply to **Hon. P. NOCELLA** (4 December 1996).

The Hon. R. I. LUCAS: The Minister for Employment, Training and Further Education has provided the following response:

Each of the universities determine their own teaching priorities within their funded load agreed between themselves and the Commonwealth. The decisions about funding and provision of teaching of languages is one for each university.

The Centre for Languages however, provides a forum for coordination by the tertiary sector of language teaching. For this reason the Minister for Employment, Training and Further Education has requested information through the Chair, Management Committee about the expected impact of the reductions in Commonwealth funding on the teaching of languages in the State's universities.

As the universities are only now completing their profile negotiations with the Commonwealth and finalising their program plans for 1997 and beyond, it is too early to answer in detail the questions raised by the Hon. P. Nocella. A copy of the report from the Chair for the Centre for Languages will be provided to the Honourable Member when it is received.

DECS EXECUTIVE SERVICE

In reply to **Hon. CAROLYN PICKLES** (12 November 1996).

The Hon. R.I. LUCAS:

1. After realignment there will be nine positions of Director level or above, (including the Chief Executive). This will be a decrease of one position.

2. No executive salaries have been increased since the announcement of the realignment. However there will be a review of some salaries to be consistent with the announced Government executive level structure across all agencies.

3. The salaries for the positions advertised on Saturday, 9 November will be the subject of negotiation with the successful candidates in line with the provisions of the Public Sector Management Act and the Commissioner for Public Employment's directives under the Act.

4. The cost of the executive service in DECS over a full year will not be known until the contracts for all executive positions have been negotiated and agreed with the incumbents. However it needs to be noted there is a net reduction of the Director level positions.

In reply to **Hon. CAROLYN PICKLES** (14 November 1996).

The Hon. R.I. LUCAS:

1. The realignment is the result of an organisational improvement program that was facilitated by the Chief Executive.

2. New executive positions are evaluated against the criteria of the six level Executive Classification Structure provided by the Commissioner for Public Employment with assistance from consultants and then salaries are negotiated within the range provided by the Commissioner for the evaluated level of each position.

3. Executive salaries are based on an assessment of the expertise, judgement, and accountability of each position within the range

set by the Commissioner for Public Employment for the classification level of the position.

STATE ECONOMY

In reply to **Hon. T.G. CAMERON** (12 November 1996).

The Hon. R.I. LUCAS: The Treasurer has provided the following information.

Since taking office in 1993, the Government has embarked on a significant change in economic policy direction from the previous Government. This sort of fundamental change has a long term focus—it takes time to implement change and time to see the results of this change.

Central to the Government's strategy has been the introduction of policies to reduce the State debt and improve the State's ongoing Budget position. Over the two years to June 1996, net debt was reduced by \$690 million from \$8.4 billion to \$7.8 billion (26.4 per cent of GSP to 22.1 per cent of GSP). In real terms this represents a fall of 15 per cent. A further fall, to 20.3 per cent of GSP by the end of this financial year is in prospect.

Although asset sales have had a major part to play in debt reduction to date, there has also been a significant turnaround in the ongoing position of the Budget. The underlying deficit in the non-commercial sector has been reduced from \$301 million in 1993-94 to \$101 million in 1995-96, and it is expected to move into surplus by 1997-98. At the same time the Government has commenced full funding of emerging superannuation liabilities and sinking of past service liabilities.

Another element of the economic policy of this Government has been outsourcing. Of major importance is that the Government's information technology requirements are now handled by EDS, while SA Water has also been outsourced. In the long-term, the benefits of these policies are greater employment opportunities and export income.

All of the Government's economic policies are aimed at improving the business climate within the State by keeping down the cost of doing business. For example, recent reports have shown that Adelaide's business costs are significantly below those of Melbourne.

Ultimately, however, the Government does not control private sector investment and employment decisions. The State is, and will remain, vulnerable to developments outside its borders. The Government can contribute to a supportive climate for business investment and job creation, and has made progress in this regard.

In select instances, the Government has undertaken specific initiatives to encourage firms to relocate to South Australia. Some examples include the relocation of Westpac's Loan Processing Centre, Motorola and Optus Communications. The decisions by these companies to locate here reflect their confidence in South Australia as a cost-effective location to conduct their business.

Although business investment in South Australia fell in 1995-96 from the very strong levels recorded in 1994-95, it remained well above the lows recorded during the recession of the early 1990s. Recent and current investment expenditure is of a higher quality, in terms of enhancing South Australia's productive base, than were many investment projects undertaken in the late 1980s.

Mitsubishi has recently completed a major upgrade to its production facilities (over \$500 million spent). The major upgrade to Olympic Dam by WMC has now been confirmed (\$1 250 million); General Motors-Holden will be upgrading the Commodore in mid-1997 and producing a new model (Vectra) for export markets at Elizabeth. Pasminco has a \$150 million upgrade of their Port Pirie smelters underway; a cogeneration power plant will shortly be commenced in North West Adelaide (\$170 million), and of course there are a range of smaller projects undertaken by medium and smaller businesses.

Projects such as these have now come back on stream as investor confidence has returned. This is a tangible benefit of the commitment the Government has shown to its economic policy direction.

In addition, the Government stands ready to intervene on a sectoral basis when appropriate. A recent example has been the Deposit 5000 incentive aimed at providing a boost to the housing sector, which has been subdued in 1995 and 1996.

TELEPHONES, MOBILE

The PRESIDENT: Before proceeding further, I make one request. All members are aware that mobile phones are not

allowed in this Chamber. Earlier in Question Time a mobile phone went off in here. That can create all sorts of problems: the line may be left open and other people may be listening. I suggest that mobile phones be not brought into the Chamber but be left outside, no matter what the reason. You do not bring in your motorbikes, so you do not need to bring in your mobile phones.

SUBORDINATE LEGISLATION (COMMENCEMENT OF REGULATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 February. Page 831.)

The Hon. K.T. GRIFFIN (Attorney-General): When I began responding to the second reading contributions I made some observations, but it will not hurt to reflect upon them for the sake of coherence and the whole story being in one excerpt of *Hansard*. The Hon. Mr Elliott suggested that Ministers are treating the legislation with contempt by giving ministerial certificates that regulations should come into effect immediately and I refute that. When the provision was originally debated in this place, the then Attorney-General listed the types of regulations that may need to come into operation earlier than four months after the day of making. He referred to regulations that revoke a regulation without making any provision in substitution for that regulation, correct an error or an inaccuracy in the regulation, are required for the purposes of an Act that will come into operation on assent, impose a fee, tax or other duty or are otherwise of a financial nature, grant an exception from compliance with certain legislative requirements, but do not operate to prejudice the rights of any other person.

The then Attorney-General stressed that the list was not exhaustive and I gave in my second reading explanation another example where ministerial certificates are commonly given, namely, with regulations that need to come into operation at the same time as legislation is proclaimed to come into operation. For very good reasons regulations need to come into operation earlier than four months after the day of making. My experience is that it is rare for me not to give a ministerial certificate.

To give a couple of examples: many regulations are developed as a result of consultation. The Expiation of Offences Act has extensive regulations which were the subject of consultation over 12 months. It would have been untenable and certainly unmanageable if we had to give four months notice of the regulations coming into effect when in fact all the work had been done, everyone had been geared up with a computer and other changes administratively, and we had to wait another four months. On the other hand, if we had given a time four months hence and found that the time was a problem in the sense that we had run into difficulties (as we did with the expiation of offences legislation, which was to come into effect early January but had to be postponed to 3 February), in those circumstances if we had already proclaimed it to come into effect on a particular date and had already made regulations that would come into effect four months after the date when they were made but found there was a hiccup, it raises the question of whether an extension

of the time by a new regulation would have required another four month period. There are a number of instances where consultation occurs in the development of regulations and it is inappropriate to wait another four months after the regulation is made before its coming into operation.

The requirement of the certificate adds a step to the bureaucratic process that is not serving anyone's interest and can create a bureaucratic nightmare. In relation to the expiation of offences, the regulations variation, common expiation scheme regulations, made consequential amendments to a wide variety of regulations under the individual head power in each Act. Each set of regulations required a certificate of early operation from the relevant Minister. Nine Ministers had to be organised to sign certificates. These regulations were complicated and technical and had been the subject of extensive consultation across almost every portfolio. For the operation of the scheme to have been delayed for four months after the regulations had been tabled would have served no useful purpose. The 1992 amendments may have appeared to have merit in theory, but their practical operation has shown that they do not and cannot live up to their theoretical expectations. They should be repealed and not amended to compound the situation.

Bill read a second time.

LAND ACQUISITION (RIGHT OF REVIEW) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 6 February. Page 854.)

The Hon. K.T. GRIFFIN (Attorney-General): I thank the Hon. Carolyn Pickles for her indication that she will support the second reading of this Bill. She raises a number of questions about it and I will do my best to answer them in the expectation that that will resolve the concerns. She noted that the Bill provides a right of review going to the Minister in the event of a citizen objecting to a land acquisition.

The difficulty with the Bill is the exclusion of judicial review of the Minister's decision. She quite rightly says that one must treat with some caution any exclusion of the right of judicial review. In the context of this Bill one must understand the procedure that is currently available. Whilst I dealt with that in the second reading report, I should, for the sake of informing the House on the issue of this Bill, reflect that in the principal Act each person who has an interest in the land is served with a notice advising of the intention to acquire land; within 30 days of the service of the notice, each person with an interest in the land may require an explanation of the reasons for the acquisition with reasonable details of the proposed scheme; and within 30 days of service of the notice, a person with an interest in the land may request the authority not to proceed, request an alteration in the boundaries of the land or request that any part of the land not be acquired. The request may only be made on the grounds that the acquisition of land would seriously impair an area of scenic beauty; destroy or adversely affect a site of architectural, historical or scientific interest; affect the conservation of flora or fauna; or adversely prejudice any other public interest. The request must be considered within 14 days of its receipt and a notice served upon the person who made the request indicating whether or not it has been acceded to.

A process is already there which involves the acquiring authority: it does not involve the Minister. The proposal is really to put another step in the process, to do it within a

limited time frame, and to ensure that anyone whose property is being compulsorily acquired, even if they have exhausted that remedy to which I have just referred, can get ultimately to the Minister for the Minister to review it and the obligation is either for the Minister or a person appointed by the Minister to review it so that it begins to involve the ministerial environment.

It is an addition to the present rights which citizens have. Judicial review is excluded because it is an additional right: to get this to the attention of the Minister and for the Minister to actually consider it. On many occasions acquisition decisions may not get to a Minister; they will be undertaken by a local government or State Government authority. Other provisions within legislation provide for compulsory acquisition by private sector bodies with the approval of the Minister, but in each instance we have sought to build into the existing process another step which may give some comfort to the citizen beyond that which is already in the Act.

The honourable member asks whether aggrieved parties lobby the Minister under the current land acquisition regime. My answer is, 'Yes, in some instances they probably do.' There may be a request from an acquiring authority for an explanation of the policy as well as the actual acquisition, but whilst that may occur on an informal basis we felt in the consideration of this legislation that it would be helpful to have something specifically in the Act which allowed the citizen to request the Minister to review it and to require the Minister to review it. It is something more than the informal process of lobbying the Minister.

The honourable member asks whether the concern relating to a lack of review mechanism was an issue raised with me by constituents. It has not been raised with me directly by constituents. Several members have raised this issue on behalf of constituents—not in relation to a particular acquisition but in terms of a broad policy position in isolation from any specific acquisition proposal. I am asked if I can give any real life examples where parties have been disadvantaged because they could not go to the relevant Minister for a formal review. I cannot give the honourable member that. We have sought to address it in policy terms rather than in relation to specific examples. I suppose one could find a number of cases going back 20 years where a citizen may have been aggrieved, exhausted his or her rights of review, and may have even informally lobbied the Minister but got no satisfaction. It may be that there will be no satisfaction out of this additional right which is being built into the system, if the legislation passes.

I do not concede that there is potential for a degree of political intervention in the land acquisition process through directions given to the statutory authority. The honourable member must recognise that, if a Minister gives directions to a statutory authority, these days they are required to be in writing and in many instances such directions are required to be publicised either at the time the directions are given or by reference to them in an annual report.

I would like to think that I have given a sufficient justification of the reasons why the Government has taken the view that an additional step should be formalised in legislation. The Leader of the Opposition did speculate as to the Government's reasons for introducing this Bill. She said that she could only wonder whether the Government is planning any land acquisition between now and the next election which might be facilitated by the review process set out in the Bill. I would have thought that is a quite incorrect expression of the context in which this amendment is proposed. Rather than

facilitating an acquisition, it may militate against an acquisition because it actually builds into the process a right to seek a review by the Minister. Far from facilitating a process, it will more likely delay, if only for a relatively short period, but potentially throw a spanner in the works.

The honourable member did, somewhat gratuitously, throw in a statement that unfortunately this Government has shown itself capable of subverting the will of the Parliament, for example, in respect of the establishment of the private prisons. I refute that. The Government has not done anything which is not in accordance with the law in relation to outsourcing the management of prisons. If it is consistent with the law, it is consistent with the will of the Parliament.

In relation to prisons, we sought to bring into the Parliament amendments which would facilitate and would not require us to use the law as it was then drafted to deal with outsourcing the management of prisons. In fact, when the Bill was rejected we had to look at the law as it was—and still is—and look at whether there were other ways of ensuring that the policy objective of the Government was achieved. That is not subverting the will of the Parliament: that is acting within the law and nothing that we have done in legal terms contradicts the will of the Parliament. We can disagree about the policy objective of privately managed prisons, but it is rejected absolutely that, by moving down that path, we are subverting the will of the Parliament.

The issue of judicial review is referred to in another context by the Leader of the Opposition, if a landowner is unhappy with the way his or her land might be acquired. If, for example, the statutory authority goes beyond par, then the courts may be used to provide a remedy. This additional step proposed in the amendment does not seek in any way to sidestep that right. Citizens' rights in relation to judicial review remain as they are in the present Act. There is nothing in this Bill which will override existing common law rights to judicial review.

I hope that that has put the honourable member's mind at rest. I believe that it is a step that will provide an additional benefit to citizens. From the Government's point of view, if the Bill is not passed, it is no skin off our nose. We are doing something which seeks to put another hurdle, even if it is not a particularly high hurdle, in the way of the Government or other authority seeking to exercise compulsory acquisition powers. It is as simple as that, and I commend the Bill to members.

Bill read a second time.

SELECT COMMITTEE ON A PROPOSED SALE OF LAND AT CARRICK HILL

Adjourned debate on motion of Hon. Diana Laidlaw:
That the report be noted.

(Continued from 6 February. Page 858.)

The Hon. SANDRA KANCK: I am pleased to support this motion. As one of the members of the select committee, I can report that, out of the many select committees on which I have served so far, which must number about 10 in three years, this would probably be the most productive. We had a very heavy schedule of meetings to reach our conclusions in really what was quite limited time, and that included two visits to Carrick Hill itself.

I said at the outset when it became public knowledge that the Government was considering selling off the land that I was prepared to consider that sell-off if I was given enough

evidence to show that it should be sold off. I have to say that, as a result of the evidence we heard, I do not believe there was any justification for selling off that land at the present time although, in the longer term, if things cannot be turned around, then perhaps it may be justified.

There was a lot that turned on this question of the state of the building at Carrick Hill and, in particular, the issue of cracking. We received evidence about that, including the initial report that went to the Arts Minister, and there certainly was not agreement amongst soil scientists and engineers as to the cause of that cracking or how substantial it was. I certainly came to the conclusion by the time I had heard the different evidence given on that issue that the cracking was of no more structural significance than the cracking that is occurring in my own house.

However, the significant aspect in this whole thing was the question of the sell-off of land. One of the submissions that came to the committee started off with a quote from Shakespeare's *Henry V*, where the chorus in the prologue to act 2 states, 'They sell the pasture to buy the horse.' I hope that that is not what eventuates in this particular case. I was a signatory to a unanimous report which did say that, in the long term, land could be sold off. I have agreed to that, because there is no doubt that funding is an issue at Carrick Hill, and something has to be done to raise those funds. I am not comfortable with the idea of selling off the land, but given that State Governments are making it clear these days that there is not a money tree any more than selling off the land in the longer term could be the ultimate way out. But, as far as I see it, it has to be the last resort.

I am confident that there will not be any sell-off of land because the events that have unfolded and the evidence we received showed that it is possible for Carrick Hill to be marketed in such a way that it can become self-supporting and that the land will not require sell off. In 1987, as we all know, there was an earlier proposal to sell off land, albeit to fund a sculpture park, and I think there was a clear message, even then, that somewhere along the line money would not be available, but the message was not heeded.

It does seem to me that there may have to be some reduction of the actual open space at Carrick Hill in the form of building construction, such as better facilities that would be required for caterers, a more permanent fixture than the large marquee that currently exists there. We certainly received some evidence from local residents about sounds from bands playing at wedding receptions being able to be easily heard. As long as the marquee is the only place where such functions are held, it certainly restricts the times at which events can be held. So, some form of more permanent structure that can reduce sounds may certainly have to be considered.

The committee 'noted the opposition and obstacles imposed by local residents to additional and expanded commercial activities which could affect revenue generation'. One of the groups that appeared before us was the Springfield Estate Residents Association. After its representatives appeared before the committee, it wrote a letter to the committee and stated:

We confirm that our association is primarily concerned about noise pollution, traffic management and ensuring limited access for traffic entering the property through Meadowvale Road.

I guess I understand its concerns about wanting to protect residents' property and the value of their property, but the committee did consider that to be a very exclusive position. It is a position that could in fact in the longer term, if the

committee were to listen to that sort of submission, threaten the future of Carrick Hill. However, that committee did say in the same letter:

We are quite prepared to work with you—that being the Chairperson of the committee (the Minister for Transport)—

and your committee in any practical way to offer our advice on ways in which Carrick Hill's financial self-sufficiency may be improved in the future.

So, it certainly did not have a closed mind on the issue. On the second visit that we made to Carrick Hill, we looked at the sites that had been suggested for subdivision in 1987. Although that area does not technically fall into the hills face zone, it does contain some old trees on some very steep land. Just on the basis of the steepness of that land, I do not think that land should ever be subdivided. It demonstrated to me the need in the future for a buffer zone between the hills face and any residential properties anywhere in Adelaide.

Throughout the process of the committee we were inundated with submissions which included large numbers of suggestions, not all with which I agreed. It was important to note that the people who were coming to the committee saying, 'We don't want this proposal,' offered alternatives. I went through some but not all of the submissions and eventually gave up because the list was huge. I tried to put into different categories the ones I did go through, and the following suggestions are examples of how positive and contributing people were to the committee.

Direct financial ideas included an annual fundraising Christmas lottery; contributions from local government in return for entry tickets for their ratepayers; family or season tickets for entry; public transport to and from the site to encourage more people to get there; free entry to the grounds but prices for other activities for entry to the house itself, etc.; multi-use tickets in association with other places such as the Maritime Museum and Birdwood Mill; increasing the volunteer base; selling some of the paintings; and closing the house for part of the year.

In the gardening area there were suggestions of garden clubs; demonstration days for rose pruning and/or hedges, etc.; as a venue for Gardens Alive; the leasing of land for intensive market gardening or vineyards; and as a home for the Rose Society. There was the suggestion of using a gardener from the Mitcham council, with the payment of a fee to Mitcham council to reduce the cost to Carrick Hill; and for members of the public to have lessons in seed collecting and propagation.

In the art area there were suggestions for Adelaide Festival outdoor performances; art and craft tuition groups; as a venue for art exhibitions using a flow-over of paintings from the Art Gallery; and a venue for Writers' Week. Someone suggested 'adopt-a-sculpture'; poetry readings; woodturning or pottery exhibitions in the stables; and dance festivals. For those people who see shopping as a form of recreation, there was the suggestion of more shops being available on site. Some very interesting solutions offered were in terms of encouraging—

The Hon. T.G. Roberts interjecting:

The Hon. SANDRA KANCK: No, a Hungry Jack's was not offered. However, there were some very interesting suggestions to entice schools to Carrick Hill. There are a number of quarries on site, so one could look at the sites from a geological aspect; biology and botany; Elizabethan Tudor architecture; TAFE practical and trade courses; and walking trails with natural history information. It seemed to me, when

I looked at those ideas, that you could have almost a day's outing for a secondary school group. You could go from the past to the present, starting off in the quarries looking at the geology and, if there were any palaeontological remnants there, perhaps that as well. Then you could look at the environmental value and the plants, recognising the black forest remnant that one of the submissions described as most precious, which includes eucalyptus *microcarpa*, with some species between 150 and 200 years old, and a total of 35 noted native plant species, six of which have conservation significance. There is the fauna side, particularly birds. There would be an opportunity then to look at Aboriginal history and the Elizabethan Tudor architecture, and to contrast that with our current styles of life; and to look at the art within the house. There is really a day's activity there that could be well developed.

In the recreational areas, suggestions included the installation of electric barbecues; the provision of shelter and seating facilities for walkers; a cable car from the house to the head of the gully; using the property as a picnic venue for Adelaide Cup day; and developing a native animal sanctuary adjoining the hills face zone. Someone suggested that, in keeping with an English manor, there should be squirrels and peacocks wandering around the grounds. Recreation suggestions also included the creation of wetlands; Wine Affair picnics; a teddy bears' picnic being held there; and an adventure playground. It was pointed out that, when adults come there to look at the paintings, there was nothing for the children to do. There was the suggestion of jogging-biking-wheelchair trails. Someone suggested a fitness training circuit; the development of an olive grove; the use of stables as a shelter for picnickers; and the use of an area behind the gardens for a ball game area for children—for instance, with the installation of basketball rings.

On the environmental side, it was suggested that there could be a market for evening birdwatching which, at the moment, is not possible because of the opening hours. The local residents who specialise in birdwatching assured us that it was a very worthwhile place to which to go to look at the birds. There was the issue of metropolitan open space. I will read part of a submission from Marcus Beresford from Friends of Brownhill Creek. He makes the observation:

... Carrick Hill fits with the Government's Metropolitan Open Space System (MOSS) principles and objectives, and it would seem quite contradictory to sell part. The whole property of Carrick Hill represents an opportunity to create a native wildlife corridor linking up Cleland Conservation Park, the Waite Reserve, Mitcham council reserves, Brownhill Creek Recreation Park, and Belair National Park at some future time. Such a 'superpark' would be without parallel, and the sale of any part of Carrick Hill would damage such a prospect forever.

It is worth considering that the bicentenary of the charting of South Australia by Flinders and Baudin occurs in six years' time (2002)—Flinders named both Mt Lofty and Australia (which celebrates 100 years of federation on the bicentenary of the year his voyage began). A superpark to commemorate either might be aimed for, whilst formal recognition of Baudin's exploration contribution might attract French support.

Amongst the other environmental suggestions there was ecotourism, creation of a recreation park, and removal of feral plants from the black forest.

There were suggestions about eating and drinking functions. Theme dinners were suggested, for instance, St David's Day or St George's Day. There was a perceived need for a low-cost food and drink outlet for bush walkers; the suggestion of the creation of a covered area in the gardens for weddings, or possibly using the stables for that. There was also the suggestion of the construction of a conservatory

seating up to 500 people, thereby replacing the current marquee; and using the existing house as a home for the Wine Society. There was a suggestion that there should be more flexibility in weddings times, which obviously could be achieved with a more substantial building with inside catering; remodelling and enlargement of the kitchens to assist in the catering, using the existing kitchen and guard-room; and doors to allow the kitchen to operate on its own so the that rest of the house can be closed.

Then there were suggestions about the board. There was the suggestion that a new board be appointed including the Director of the Art Gallery, the Zoo Director, two community members appointed by the trust, and three or four business people such as Helen Lynch of the Southcorp Board; and a further suggestion was that all these people should be unpaid. Someone suggested that there should be a new Chairman of the board and that that person should be the Governor of South Australia, in order to show how serious we are about preserving Carrick Hill.

It is not my job to assess all these alternatives, and I guess that when you look at them they present something of a mish-mash of ideas. They show the sorts of difficulties involved in promoting Carrick Hill as a concept. It is not clear whether it deals with history, art, gardening, recreation or outdoor activity. The Birdwood Motor Museum, the Maritime Museum and the Art Gallery are other institutions that were compared with Carrick Hill and they each have a single theme, but Carrick Hill does not seem to have the one single theme that makes it easy to promote.

Some submissions received were quite critical of the board and our report noted these criticisms. I refer to the submission by Mr R.D. Hill-Ling, Mr M. Pryce and Mr P. Simons, who asked this series of questions: who is responsible for the management of Carrick Hill; why have they let the situation develop to this point; have they asked for help to solve the problem; if so, to whom; is there a business and strategy plan in existence; why has little been done to publicise, let alone attract, tax deductible donations for Carrick Hill; what promotional activity has been carried out to attract tourists recently; why is there no structured incentive pricing arrangement in place for the wider tourist industry promoters; does anyone care that there is no transport available for the last kilometre from the bus terminus to the house; and how much apathy can we tolerate in attracting people to this wonderful place?

Implicit in that is certainly criticism of the way in which Carrick Hill has been managed. As I say, the committee acknowledged those criticisms but at the same time we also recognised that there had been no director in place for two years, which created its own difficulties. Most people are now aware that all but one of the board has resigned since the report came down and I am not privy to the reasons why the board acted that way. It may be that the sorts of questions I asked may have offended them. I must say that I am grateful that they have acted in this way—whether or not we know their reasons—because it allows for a new broom to come in and sweep everything clean and start anew.

I want to acknowledge the role of the Mitcham Foothills Action Group in arriving at our decisions. As I said, the bulk of the submissions received were opposed to the sell-off and most of the submissions came from action group members, either singly or specifically from the group. They always presented things in a positive way, always offering alternatives. They did not just say, 'We do not like what you are doing.' They made suggestions to us and I hope that with a

new board and in the light of the report we will not see any sell-off of the land and we will see Carrick Hill able to support itself in the future. I support the motion.

The Hon. DIANA LAIDLAW (Minister for the Arts):

I thank all honourable members who have noted the report. This included all members of the committee plus the Hon. Jamie Irwin, who served on an earlier committee. True, it was a productive exercise. We had a heavy schedule and limited time. I spent some time when moving the motion giving general comments and I will now sum up the main matters raised by honourable members. First, I turn to the issue of the resignation of the board. I indicated that I was rather surprised that the board sought to take that action rather than seeking to speak with me to go through the issues, because personal affront, as all honourable members have noted, was not the committee's intention. The Mitcham council representative remains on the board, because that is a designated position under the terms of the Act.

I envisage that by the end of this month there will be a new board and there are presently various discussions proceeding. A number of the people I have been speaking to were involved in making submissions to the committee. We know their zeal in ensuring that there is a positive outcome financially, culturally and environmentally for Carrick Hill. However, in terms of the committee's recommendations there is pressure or an expectation on the new board in terms of the development and implementation of a corporate plan to succeed in helping establish a much more secure and self supporting funding system for Carrick Hill in the future. There have been many good ideas and it will be quite a challenge for the new board in terms of its corporate plan but there are also many great ideas in the longer term for the new director and others.

In terms of the administration, there have been initial discussions with the History Trust, but I have asked Arts SA not to pursue those matters aggressively because first we should pay the courtesy to the Parliament to note all the contributions on the report relating to this motion. Preliminary discussions have been held at this stage and there is in-principle agreement in terms of the administration. I have had checked with Crown Law the transfer of administration from Arts SA to the History Trust. All of that could be accommodated by the History Trust, but I feel strongly that I want to hear the views of all members speaking to this motion and also the views of the new board members who will have to feel comfortable about the arrangements if they are going to feel comfortable about their responsibilities as directors of this asset.

Until the board is selected those administration arrangements will not be progressed, but I can clarify that the legal and principal issues face no impediment to such an arrangement. A whole host of other questions have been asked and highlighted by all members, as one would expect from serving on a committee where there was such an interest and diligence in considering all the questions before it. Those questions will now be pursued by me with care, vigour and a lot of sensitivity. I would like to thank all honourable members most sincerely for their contributions. I have not served on a select committee for at least four or five years and I had forgotten how rewarding it can be. I hope that was the experience of all members serving on such a productive committee.

Motion carried.

**SUBORDINATE LEGISLATION
(COMMENCEMENT OF REGULATIONS)
AMENDMENT BILL**

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Commencement of regulations.'

The Hon. M.J. ELLIOTT: I will be opposing clause 3 and then we will be moving an amendment to clause 4 and I will discuss the two in tandem. I understand the issues that were raised by the Attorney-General and the fact is that a substantial number of regulations—in fact, the overwhelming majority of regulations now—are being proclaimed and coming into effect immediately.

The Hon. K.T. Griffin: There is no secret about it.

The Hon. M.J. ELLIOTT: No, and in fact a number of reports have come from the Legislative Review Committee on that matter. As to the requirement to give reasons, the reasons often did not have to be particularly substantial, and that was sufficient justification for some people to bring them into effect immediately. There is no argument about the fact that there will be a need for regulations to come into force immediately from time to time and, where there are good and substantial reasons for doing so, there is no problem. However, it has become a little too convenient to bring into effect immediately. In relation to clause 4, I will seek to tackle the problem in a different way. That is the requirement not just that reasons be given, but that detailed reasons be given. I hope that that invitation—the requirement for detailed reasons—will be enough to get rid of that 75 per cent. It is not enough for it to be a reason; it really should be a reason which has some substance in it, and that is an invitation to the Ministers to behave a little more responsibly than they have so far. In the light of that amendment to clause 4, I will be opposing clause 3.

The Hon. K.T. GRIFFIN: I very strongly support clause 3. If clause 3 is successfully opposed, it really negates the object of the Government and of the Bill. I dispute vigorously the assertion by the Hon. Mr Elliott that Ministers are acting irresponsibly. The fact of the matter is that if you look at the range of subordinate legislation which is enacted there is a lot which is of minor nature. There is certainly some of a substantial nature, but in many instances—if not in all instances—the subordinate legislation of a substantial nature has already been the subject of extensive consultation with those who might have an interest. It will slow down the pace of Government dramatically if, having had the negotiations and undertaken the consultation, we then enact the regulation and then it has to, effectively, lay on the table for four months. If we move to detailed reasons, it is a good question as to what is a detailed reason. One would have to question whether, in the instance that I gave—that there were in fact extensive consultations in the development of the regulations—that would be a sufficient reason to defer the four months. Ultimately, we may find that there is some justiciable point involved in what is or is not a detailed reason.

I certainly oppose the concept of detailed reasons: I believe leaving it simply as reasons is more than adequate, if we are to persist with this additional bureaucratic step. However, I would suggest very strongly to the Council that the experiment has failed. It is not a matter of keeping Governments honest. The Legislative Review Committee has a responsibility to review subordinate legislation, and it does it. There are representatives of other parties on it in addition to Government. I would have thought that was the safeguard;

that the subordinate legislation is capable of review and subsequent disallowance. It is for those reasons that I strongly support clause 3 and hope that everyone will support it.

The Hon. CAROLYN PICKLES: The Opposition initially opposed the whole Bill because of the issue contained in clause 3. We will be opposing clause 3. In relation to clause 4, we believe that this amendment strikes at the amending Bill where it seeks to remove completely the requirement for Ministers to give reasons if they wish to have regulations made effective immediately, and places an increased onus on Ministers who wish to do so. The amendment is aimed at the current mischief, whereby some Ministers—not all Ministers—routinely give merely cursory reasons stating the desirability of early implementation in the most general terms, thereby contravening the spirit of the law. Consistent with the principles underlying the existing provisions of the Subordinate Legislation Act and my second reading speech on the subject, the Opposition supports the Democrats' amendment because it aims to make Ministers more accountable.

The Committee divided on the clause:

AYES (9)

Griffin, K. T. (teller)	Irwin, J. C.
Laidlaw, D. V.	Lawson, R. D.
Lucas, R. I.	Pfitzner, B. S. L.
Redford, A. J.	Schaefer, C. V.
Stefani, J. F.	

NOES (10)

Cameron, T. G.	Crothers, T.
Elliott, M. J. (teller)	Holloway, P.
Kanck, S. M.	Levy, J. A. W.
Nocella, P.	Pickles, C. A.
Roberts, R. R.	Weatherill, G.

Majority of 1 for the Noes.

Clause thus negated.

Clause 4—'Regulations to be referred to Legislative Review Committee.'

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

Page 1, line 22—Leave out 'subsection (1a)' and insert "from subsection (1a) 'the reasons' and substituting 'detailed reasons'". I explained this amendment when debating the previous clause.

The Hon. K.T. GRIFFIN: I oppose the amendment.

The Hon. CAROLYN PICKLES: The Opposition supports the amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

FLOODS

The Hon. DIANA LAIDLAW (Minister for Transport): I seek leave to make a personal explanation.

Leave granted.

The Hon. DIANA LAIDLAW: It has been pointed out to me that I may not have been particularly clear in the explanation that I gave earlier in answer to a question from the Hon. Caroline Schaefer about arrangements for the Pasminco business because of flood damage to the Barrier Highway and the rail line. I indicated that there are stockpiles of some three weeks and that there could be maintenance work amounting to one week but that the rail line is likely to be out of action for about eight weeks. The Government, BHAS and all members of Parliament would not wish the plant to shut down or workers to be stood down. So, arrange-

ments will be made for the ore to continue to be transported between Broken Hill and Port Pirie by road train hopefully during just this four week period after the initial stockpiles have been cleared and maintenance work undertaken. We envisage that there will be about 30 road trains per day.

Because of the trouble on the Barrier Highway and access issues, depending on the rain's ceasing, a diversion road will be constructed from tomorrow. In the meantime, we have opened a temporary double road train route from Yamba to Warnertown. I hope that explanation clears up any misunderstanding about the arrangements, particularly for the Pasmenco business.

GAS (APPLIANCES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 February. Page 843.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading of this Bill, which gives some protection to consumers from the risk of buying substandard gas appliances. The Bill is part of a legislative framework throughout Australia which will establish common safety standards at the point of sale. Equally important are appropriate regulations to ensure proper standards of gasfitting work. Because there are penalties for non-compliance with the regulations about gasfitting, consumers would be well advised always to engage a licensed gasfitting contractor to fit a gas appliance in their home. If this is done, obviously the gasfitter has a responsibility to ensure that the safety regulations are complied with. The Opposition supports the second reading.

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I thank the honourable member for her indication of support.

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

BULK HANDLING OF GRAIN (DIRECTORS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 February. Page 842.)

The Hon. R.R. ROBERTS: I support the legislation. Members would be aware that the Opposition gave its support to the speedy passage of this Bill in another place. This repeal legislation has been brought about by the motion of the CBH Board and its members. The way that this matter has been handled has been a pleasing exercise. CBH, as most members would know, is an owner-operator system and there has been consultation at every level, with 14 separate meetings and on 14 occasions members of the organisation were able to express their concerns and have the matter fully explained. I understand that there was overwhelming approval at each of those 14 meetings and it was ratified at a general meeting. Throughout the process the good relationship between the Opposition and CBH was maintained and we were kept informed right the way through the process. I congratulate the organisation for that.

Mr Ivan Venning, MP, the member for Custance in another place, expressed a range of concerns, some of which may be legitimate because this legislation will be oversighted, as a consequence of agreements between the State and Federal Parliaments in line with the ACCC's requirements,

and it could have been argued that some of these matters should have been left until that time. However, in all the circumstances—especially in light of the fact that the matter has been fully negotiated by the owner operators of CBH and the fact that it changes its constitution to what it believes reflects a modern day operation—the Opposition supports the passage of this legislation in this place without amendment.

The Hon. BERNICE PFITZNER secured the adjournment of the debate.

DEVELOPMENT (PRIVATE CERTIFICATION) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 5 February. Page 844.)

The Hon. T.G. ROBERTS: The Opposition supports the Bill without amendment. In another place Ms Hurley, the member for Napier, handled the Bill and asked questions in Committee. In the main contribution the position was made clear that we support the Bill, which provides for appeals against the decision of a private certifier and serves a function for making it clear when developments are approved for development. The introduction of private certifiers of late has brought about a duty of care for private certifiers that changes the relationship for applications for development by private individuals and companies in relation to their responsibilities and responsibilities for local government.

Private certifiers provide certificates for building work at the moment, but seem to have little legislative responsibility. Local government is keen to have that relationship changed. This Bill allows private certifiers to issue certificates of occupancy and to take on the responsibility that councils historically have covered. It is difficult for local government, after private certifiers have certified developments at a certain stage and then handed over the responsibility for future work to be done by other contractors, builders and developers, to pick up the legal responsibility for those outcomes. This Bill changes that relationship.

With those few words, the Opposition supports the Bill. Some of the questions asked in the Lower House will not have to be asked again as they are on record, although the Minister handling the Bill gave a commitment to get back to the member for Napier on one question. I have not been told that the answer was not satisfactory, so I assume the question on notice in Committee has been answered. We therefore support the passage of the Bill.

The Hon. A.J. REDFORD: I support the Bill and congratulate the Minister on introducing it. I noted with some degree of interest the Hon. Terry Roberts's support for this Bill. It is but one additional element of privatisation and outsourcing upon which this Government has embarked. It is pleasing to see that the Australian Labor Party is not following an ideological approach, because the system is currently working and working well. It has been well accepted by both consumers and the industry and from a practical and pragmatic viewpoint there are many winners.

The Hon. T.G. Roberts: Are you saying that there will be no more amendments?

The Hon. A.J. REDFORD: Indeed, I hope that there will over the years be amendments that will further improve and enhance the Bill. One of the principal reasons I rise to speak on this Bill is that I have had a number of people approach

me, first, to praise the current system; secondly, to criticise the certifiers or people who conduct that work and who are employees of councils; and, thirdly, to ask if I would approach the Minister to see whether there could be an extension of the role of private certifiers.

Given the interjection of the honourable member, I will give an example of an approach I had recently from a constituent in Toorak Gardens regarding the city of Burnside. In giving this example, I make no criticism of the city of Burnside: it is an excellent council providing first-class facilities and resources to its community at a reasonable cost and is certainly one of the leading councils in South Australia. The constituent indicated that he lodged an application to increase the size of his house in the suburb of Toorak Gardens by adding a second storey addition. He advised me that his house was one of the few single storey houses still in the street—such is life in the city of Burnside! The planner rejected the application because he wanted a four metre setback. I have seen the plans and I must say that a four metre setback is a totally unreasonable condition and one that would not have been imposed on other people with two storey houses in the street.

I am told that the builder complained and that, after a number of discussions with employees of council, the council finally approved the application—or, at least, the owner thought it was approved. Subsequently, when work was to commence, he found that the approval did not cover the development that he had envisaged and he had to start the whole process again. I hope this is an unusual example—I assume it would be in the city of Burnside. He told me that his application was first lodged on 20 March 1996. I have not seen him since 20 January last, but he expected that approval would be given on 4 February 1997. On any examination, that time period for approving an extension of a residence is unreasonable. I am not criticising the council: there may be issues of which I am not aware.

When my constituent saw me he said that it was his view that the Government ought to consider allowing private certifiers the right to assess planning applications for class one dwellings, that is, residential dwellings. I am not sure whether or not private certifiers are currently able to do that, but I would invite the Minister to consider what I have said and provide me with a response at his convenience. In a letter to me, my constituent wrote:

A more effective proposal would be to allow privatisation of class one planning proposals to be delegated to approved private sector planners in the same manner as for building applications.

I invite the Minister to respond to that comment and, if they wish, I can provide a copy of his response to members opposite. If that situation does not exist, perhaps we can revisit this legislation at some stage in the future. I endorse the Bill and I must say that I am exceedingly encouraged by the attitude of Opposition which is slowly and reluctantly, but ever onwardly, embracing the concept of outsourcing and privatisation after seeing the benefits that come to this community.

The Hon. L.H. Davis: They see what Bob Carr is doing in New South Wales. He is in government: that's the reality.

The Hon. A.J. REDFORD: They have endorsed it in New South Wales and I am sure that at some stage in the next century, if the Opposition returns to government, it will continue along this enlightened path. This is but one small step along that path. I commend the Bill to the House.

The Hon. R.D. LAWSON: I support the second reading of this Bill and the principles of private certification. Prior to the amendments to the Development Act which allowed private certifiers, building certification was undertaken by employees of local government authorities. The building inspectors fulfil a very important community function. However, there is no reason in principle why a matter such as the certification of building work ought to be only confined to those who are employees of local government. Buildings are designed by private engineers and architects and built by private builders in most cases. The professions of architecture and engineering are well governed by professional bodies.

Many members of the local government authorities who were building inspectors were previously members of the Australian Institute of Building Surveyors, a professional body with a sound history. It was therefore entirely appropriate that the Government should allow persons who were self-employed or employed outside local government to undertake certification responsibilities. I do not necessarily see it as privatisation or outsourcing: I see it as professionalisation of aspects of the building industry.

As the Minister mentioned in the second reading explanation, there was a hitch in relation to the full implementation of private certification. That hitch arose because of the difficulty private certifiers had in obtaining appropriate professional indemnity insurance, given that this is a relatively new area of activity. The legislation itself required appropriate indemnity insurance but, as was explained previously, insurance as required by the Act was not obtainable. However, the insurance issues have now been resolved, not only in this State but, as I understand it, nationally.

The Legislative Review Committee took quite a deal of evidence from persons interested in private certification. The Australian Services Union, which represents many certifiers employed within local government, displayed a good deal of hostility against private certification. Upon examination, the hostility appeared to be based not so much on fears for the professionalism of private certifiers, but fears for members' jobs. The committee received evidence, for example, from Mr Mark Henley, the Executive Director of the South Australian Council of Social Services.

That council, during the course of its evidence to the Legislative Review Committee, appeared to change its mind. It began rather much opposed to private certification on the ground that it seems to be opposed to anything that the Government does that smacks at all of outsourcing. However, to give Mr Henley his due, during the course of his evidence, he adopted a somewhat different position and did not seek to be obstructive of the Government's policy of introducing a private certification. Support was also given by representatives of the Australian Institute of Building Surveyors and by the Master Builders Association. It is clear when one embarks upon a change of this kind that there will be teething problems in any legislative regime adopted. Some have been disclosed here and are now being remedied in the legislation before the Council.

I commend the Minister for bringing forward these amendments. I strongly support the activities of private certifiers, and congratulate the Building Advisory Committee for its most effective undertaking of the review of the operation of private certifiers and congratulate it particularly in relation to the consultations which it has undertaken. I support the second reading.

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I thank members for their indication of support for the second reading.

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

ADJOURNMENT

At 4.55 p.m. the Council adjourned until Wednesday 12 February at 2.15 p.m.