

## LEGISLATIVE COUNCIL

Tuesday 30 June 1998

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

### NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (COMMENCEMENT) AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

### QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 108, 116, 123, 126, 128, 134, 140, 144, 151, 155, 159 to 163.

### EXPIATION NOTICES

108. The Hon. T.G. CAMERON:

1. How many motorists have had to pay for being sent a reminder notice before paying their expiation notice?

2. How much revenue has the Government collected as a result for the year 1996-97?

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the police that reminder notices are sent with respect to any notice for which expiation has not been received within the original term of payment (either 30 or 60 days). \$30 is added to the total of each expiation notice as a cost of the reminder.

Fourteen days after the issuing of the reminder notice, the file (expiation notice) is referred to the courts.

During the 1996-97 year 18 406 reminder notices were sent. During the same period 3 881 were paid within 14 days, the remainder referred to the courts.

The total revenue received for reminder notices for the 1996-97 period is \$116 430.

### SMALL BUSINESS

116. The Hon. T.G. CAMERON: Will the Minister investigate and respond to the following concerns raised by the Small Business Advocate in her October-December 1997 Quarterly Report—

1. The impact of increasing licence fees on small business that only need the licence or service for a small percentage of the work they do;

2. South Australia's position as the State with the highest level of land tax on commercial properties worth up to \$500 000 in Australia; and

3. The complexity of various documents relating to small business and the need for leases to be written in plain language?

The Hon. R.I. LUCAS: The Minister for Industry, Trade and Tourism has provided the following information.

1. The Small Business Advocate's Quarterly Report notes that the office has received some complaints about increasing licence fees from businesses that only require licences for a small proportion of the work they do. I understand that the Report specifically highlighted two areas of concern: trade plates and investigation agent licensing.

A new trade plate system was introduced in South Australia on 17 November 1997. The changes were prompted by a review of the former system undertaken by a task force chaired by the Motor Trade Association of SA Inc and which had representation from a number of other industry bodies and relevant government departments.

The primary outcome of the review process was implementation of the principle that there should be an obvious nexus between the level of access afforded by a trade plate and the current vehicle registration fees. For example, the fee applicable to trade plates used on a semi-trailer should be higher than those applicable to their use on a light vehicle or a motor cycle. This reform has led to a decline in trade plate registration fees in most categories.

The former two plate system was found by the Task Force to be administratively cumbersome, poorly understood and difficult to enforce. It was, therefore, considered preferable to introduce a new single plate system that is simpler, better reflects the needs of industry, and is less open to abuse. The new system has been introduced on a revenue neutral basis, and is therefore not being used as an opportunity to raise any additional revenue.

It must be recognised that motor registration fees for most vehicles represent an access charge to the road network. While the frequency with which a person accesses the road network varies from person to person, the same registration fees are applicable. Trade plate holders are only being asked to pay the same fees as other members of the public to access the road network.

Regarding the setting of licence fees for business licences such as the Security and Investigations Agents Act, it needs to be appreciated that licence fees are set at levels that enable full cost recovery of the business licence service provided by the Government. I am informed that a licence system that establishes fees according to the level or frequency of use of licence conditions would be administratively cumbersome and very difficult to enforce. The additional cost of such a system would need to be borne by the licence holders with an overall net loss to the industry concerned.

While I appreciate the concerns expressed by these small business owner-operators, the Government must maintain a licensing and regulatory system that is simple and that imposes minimal administrative and compliance costs.

2. I note that the Small Business Advocate has received a letter from a small business owner concerned that land tax is higher in South Australia for lower value properties than it is in other selected Australian States.

While the Government is committed to reducing the taxation burden facing South Australian businesses, its ability to make significant progress is limited by a number of constraints. Firstly, the Government still faces the challenge of reducing the State's considerable debt—estimated at a net \$7.4 billion in 1997-98. The South Australian Centre for Economic Studies noted recently that for every \$9 spent on providing public sector services and infrastructure, we spend \$1 on meeting net interest costs. Secondly, the current level of vertical fiscal imbalance and the State's reliance on narrow, inefficient tax bases means that the Government has limited flexibility to reduce State taxes.

While it is true that South Australia's level of land tax is relatively high across some valuation categories in comparison with some other States, it is worth noting that:

- South Australian land tax rates are among the lowest of all the States for commercial properties at the lowest end of the value range. No tax is levied in South Australia on land valued at less than \$50 000 and for a property (owned by an incorporated entity) with a site value of \$500 000, only landowners in two States—Victoria and Western Australia—would pay less tax than in South Australia; and
- according to the Commonwealth Grants Commission, South Australia has the fourth lowest taxation effort, or severity, in relation to land tax (after Northern Territory where no land tax is levied, New South Wales and Victoria).

While the Government has demonstrated its commitment to small business through the implementation of a number of recent initiatives, it does not believe that reductions in land tax are the most effective way of assisting the growth and development of small businesses in South Australia. The major beneficiaries of land tax reductions are current landowners since reductions are typically capitalised into the value of the land. To the extent that small business owners are tenants, as opposed to landowners, they may not, in any event, benefit from a land tax reduction.

The Government is rightly focusing on the broader tax reform debate where real gains can be made for the benefit of the State's small businesses.

3. The Small Business Advocate informs me that her office has commenced a research project to consider how complex legal documents, particularly leases, can be simplified. The project is initially just an information gathering exercise. Depending upon their initial investigations, the Small Business Advocate's Office may establish a working group to consider the issue further.

The Government and the Advocate recognise that simplifying lease contracts and similar legal documents will be no small task. The diverse nature of leasing arrangements means that it will be extremely difficult to develop a standard, simplified document. Moreover, contractual arrangements of this nature are rightly the responsibility of both parties to the contract. Both landlords and

tenants will need to support and accept any move toward standardised, simplified documents. The Government cannot simply impose these upon them. Understandably, neither party is likely to want uncertainty or ambiguities in their contracts for the sake of simplified language.

The Government understands that this is a long term project for the Office of the Small Business Advocate but looks forward to considering the findings.

#### SPEED CAMERAS

##### 123. **The Hon. T.G. CAMERON:**

1. How many speed cameras are currently located in the metropolitan area?
2. How many speed cameras were stationed in the metropolitan area during the years—
  - (a) 1994-95
  - (b) 1995-96
  - (c) 1996-97?
3. How many speed cameras are currently located in non-metropolitan areas?
4. How many speed cameras were stationed in non-metropolitan areas during the years—
  - (a) 1994-95
  - (b) 1995-96; and
  - (c) 1996-97?
5. How many laser guns are currently located in the metropolitan area?
6. How many laser guns were stationed in the metropolitan area during the years—
  - (a) 1994-95;
  - (b) 1995-96; and
  - (c) 1996-97?
7. How many laser guns are currently located in non-metropolitan areas?
8. How many laser guns were stationed in non-metropolitan areas during the years—
  - (a) 1994-95
  - (b) 1995-96; and
  - (c) 1996-97?

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the police of the following:

1. 14 speed cameras are currently located in the metropolitan area.
2. (a) 11  
(b) 13  
(c) 14
3. Two speed cameras operate in country regions from Adelaide. Operators are away for 7 days at a time.
4. (a) Nil. All based in Adelaide—cameras were sent on an ad hoc basis.  
(b) Nil. All based in Adelaide—cameras were sent on an ad hoc basis.  
(c) Nil. All based in Adelaide—cameras were sent on an *ad hoc* basis.
5. 56
6. (a) 16 Lasers were first introduced in September 1995.  
(b) 56  
(c) 56
7. 77
8. (a) 17  
(b) 77  
(c) 77

#### CONSULTANTS

126. **The Hon. SANDRA KANCK:** What was the cost of the Troughton Swier Report, referred to by the Premier in his ministerial statement to Parliament on 17 February 1998, concerning the proposed sale of ETSA and Optima Energy?

What was the cost of the Sheridan Report conducted by former Auditor-General, Tom Sheridan, into the proposed sale of ETSA and Optima Energy?

**The Hon. R.I. LUCAS:** The cost of the Troughton Swier & Associates Report was \$56 677.00.

The cost of the Sheridan Report was \$7 450.00.

#### TRANSPORT, BICYCLES

##### 128. **The Hon. T.G. CAMERON:**

1. How many passengers travelled with a bicycle on suburban trains for the year 1996-97?
2. Does the Government consider the 50 bike lockers currently available at train stations to be sufficient?
3. How frequently are the available bike lockers used?
4. How much do they cost to rent and are there waiting periods?
5. Will the Government undertake a campaign to publicise the availability of bike lockers at train stations?

##### **The Hon. DIANA LAIDLAW:**

1. A person with a bike is required to validate a concession ticket for the bike. Separate information on these boardings is not available.
2. Less than 50 per cent of available lockers are currently used.
3. Lockers are used primarily by regular train travellers and are generally used five (5) days per week.
4. Customers may use the lockers for free, however, a deposit is required if the customer wishes to use TransAdelaide's lock instead of their own. Most stations with lockers have spare lockers available on request.
5. Bike travel and facilities are promoted through free customer monthly publications, such as 'TransAdelaide express' as well as through TransAdelaide's customer panels. In addition, information is featured in newsletters published by bicycle groups such as Bike SA and Bike South.

#### BUS CAPACITIES

##### 134. **The Hon. T.G. CAMERON:**

1. How many passengers are the following buses registered to carry:
  - (a) the Bee Line; and
  - (b) Circle Line?
2. Is the Minister aware of complaints by customers of overcrowding on morning and afternoon services?
3. How many complaints have been received about the quality of the service for the years—
  - (a) 1994-95;
  - (b) 1995-96; and
  - (c) 1996-97?
4. How many passengers have been injured while travelling on the Bee Line and Circle Line buses for the years—
  - (a) 1994-95;
  - (b) 1995-96; and
  - (c) 1996-97?

**The Hon. DIANA LAIDLAW:** Upon checking with the honourable member's office, it has been confirmed that he meant to inquire about the City Loop, and not the Circle Line services.

1. TransAdelaide operates two types of wheelchair accessible vehicles on the Bee Line (99B) and City Loop (99C) services. The larger of the two buses, the MAN NL202 is licensed to carry 32-37 seated passengers and the MAN HOCL11.190 MIDI is licensed to carry 25-30 passengers depending on the number of wheelchairs being carried.

2. TransAdelaide records identify that in recent months no complaints have been received specifically relating to overcrowding on either of the CityFree services. It is worth noting that the CityFree services operate an average of 4 900 individual trips per month.

3. Records relating to complaints (and compliments) were not recorded against specific bus routes until January 1997.

While the honourable member has not sought information that may reflect positively on the operation of public transport services, I advise that 40 compliments were recorded for both the City Loop and Bee Line services—about double the number of complaints! The Tourism Industry has also applauded the services!

For the period 1 January to 31 December 1997, no complaints were received regarding the Bee Line (99B) service. One complaint regarding the City Loop (99C) service was received.

For the period 1 January 1998 until 31 May 1998, 17 complaints were received regarding the Bee Line (99B) service. Seven complaints were received regarding the City Loop (99C).

Of all complaints received, none were concerning overcrowding on either service.

4. Records of injuries sustained on TransAdelaide buses were not recorded against bus routes until July 1997.

From the period 1 July 1997 until 28 May 1998, eight injuries were sustained on the Bee Line (99B) and eight injuries sustained

on the City Loop (99C) services. Most of the injuries were attributed to persons falling when boarding or alighting.

Of all 16 injuries, one injury occurred between 8.00am and 9.00am and two injuries between 5.00pm and 6.00pm. These periods would be considered peak and TransAdelaide would expect heavy loading during these periods.

While any injury is regrettable, considering the high and increasing number of customers carried on CityFree services, and the frequency of these services, the safety record is sound, and improving.

**MOTOR VEHICLES, IMPOUNDING**

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

1. Is the Government considering any proposals to enable unlicensed or unregistered motor vehicles to be impounded until the overdue charges, as well as an impounding fee, are paid?

2. If so, what are the details of such a proposal?

**The Hon. DIANA LAIDLAW:** No. It is unclear, however, if the honourable member is advocating impounding—a draconian approach to the issue of unlicensed and unregistered motor vehicles.

Over the past four years the Government has acted on a number of fronts to encourage compliance, including introduction of—

- an option for owners to register their vehicles for periods of 3, 6, 9 or 12 months;
- reminder notices where a vehicle’s registration has not been renewed within 14 days;
- a registration label with a more prominent expiry date; and
- a reminder notice where a driver’s licence is not renewed within 30 days.

Meanwhile, as registration checks are regularly undertaken by the Police, the probability of unregistered and uninsured vehicles being detected is relatively high. It is estimated that approximately one half of all vehicles and one third of all drivers will be subject to registration and licence checks each year.

**SOUTH-EASTERN FREEWAY**

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

1. Until the end of April 1998, how many requests has Transport SA received from people asking to be either temporarily or permanently moved due to blasting on the South-Eastern Freeway development?

2. How many requests have been granted?

3. In total, how much has it cost the Government to do so?

**The Hon. DIANA LAIDLAW:**

1. Transport SA has received one request.

2. That request has been granted.

3. The total cost to Government of the temporary movement of the family was \$730.25.

**TONSLEY INTERCHANGE**

151. **The Hon. T.G. CAMERON:** Has the Government any plans, either now or in the near future, to build a transport interchange at the Tonsley rail station?

**The Hon. DIANA LAIDLAW:** The Government has no plans either now or in the near future to build a transport interchange at the Tonsley rail station. The honourable member may recall that in 1993 the then Federal Labor Government rejected the proposal by the former State Labor Government to build a \$17.9 million interchange at this site. Following this decision, the Housing Trust was advised that there was no longer any need to reserve land adjacent to the Tonsley rail station for an interchange, and redevelopment of that land is now under way.

**RAILWAYS, METROPOLITAN**

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

1. How much was spent of each of the metropolitan railway lines during—

(a) 1996-97; and

(b) 1997-98?

2. How much was spent by TransAdelaide on train station upgrades during—

(a) 1996-97; and

(b) 1997-98?

3. Which stations were upgraded and how much was spent on each station during—

(a) 1996-97; and

(b) 1997-98?

**The Hon. DIANA LAIDLAW:**

1.	1996-97	Total \$
	General Items	2 156 192
	Adelaide Yard	312 502
	Mile End to Goodwood	279 636
	Goodwood to Belair	147 784
	Goodwood to Port Stanvac	1 367 037
	Port Stanvac to Noarlunga Centre and	
	Ascot Park to Tonsley	465 856
	Wye Junction to Glanville	669 568
	Glanville to Outer Harbour and	
	Woodville to Grange	162 926
	Wye Junction to Dry Creek	58 877
	Dry Creek to Gawler Central	346 201
		<hr/> 5 966 579
	1997-98 to 30 April 1998	
	General Items	2 092 261
	Adelaide Yard	380 325
	Mile End to Goodwood	214 598
	Goodwood to Belair	182 193
	Goodwood to Port Stanvac	152 250
	Port Stanvac to Noarlunga Centre and	
	Ascot Park to Tonsley	650 262
	Wye Junction to Glanville	195 280
	Glanville to Outer Harbour and Woodville to	
	Grange	162 744
	Wye Junction to Dry Creek	59 999
	Dry Creek to Gawler Central	490 586
		<hr/> 4 580 498

2. 1996-97—\$613 500

1997-98—\$506 000 (to 30 April)

3.

	1996-97	Total \$
	Broadmeadows	78 000
	Dry Creek	2 000
	Smithfield	140 000
	Woodville	35 000
	Elizabeth South	59 000
	Tonsley Park	55 000
	Mile End	97 000
	Oaklands	7 500
	Port Adelaide	80 000
	Hallett Cove Icon Shelter	60 000
	1997-98 to 30 April 1998	
	Largs North	144 000
	Mitchell Park	12 000
	Mile End	62 000
	Outer Harbor	75 000
	Pinera	99 000
	Mitcham	32 000
	Keswick	4 000
	Hallett Cove	48 000
	Hallett Cove Beach	30 000

**TRANSPORT, TICKETS**

159. **The Hon. T.G. CAMERON:** Why is it that according to page 18 of the Passenger Transport Board’s annual report 1996-97 the sale of all ticket types has fallen except for single trip tickets which have risen?

**The Hon. DIANA LAIDLAW:** In addition to the general economic factors which are beyond the control of the Passenger Transport Board, two potential reasons for the change in purchasing patterns have been identified—

1. The increased awareness of customers that singletrip tickets can be purchased on-board railcars.

2. A decrease in the price differential between multitrip tickets trip cost and singletrip ticket cost.

With regard to the cost of Multitrip tickets, only Darwin offers a bigger discount (44.7 per cent) than Adelaide. Adelaide’s Multitrip provides ten journeys for around the price of seven

(32.1 per cent discount.) This compares with Canberra—15 per cent, Hobart—21 per cent, Perth—23.2 per cent, Brisbane—13.2 per cent, Melbourne—20.2 per cent, and Sydney—22.5 per cent.

#### TRANSPORT, CONCESSION TICKETS

##### 160. **The Hon. T.G. CAMERON:**

1. Are concession fares available for unemployed people on South Australian regional city bus services?
2. If not, what is the estimated cost of introducing such a concession?
3. Will the State Government consider introducing such a concession?

##### **The Hon. DIANA LAIDLAW:**

1. Transport concessions are available for people who are unemployed on bus services provided within regional cities.
2. The cost of 'unemployed' concessions on regional city bus services from July 1997 to March 1998 was \$25 785.60, compared to \$39 233.60 for the 1996-97 financial year. Funding for these concessions is provided by the Department of Family and Community Services.
3. The concession sought by the honourable member is already provided.

#### TRANSPORT, ASSISTANCE SCHEMES

##### 161. **The Hon. T.G. CAMERON:**

1. How much does it cost to run the 'Journey to Work Scheme' and the 'Tertiary Education Assistance Scheme' as stated on page 27 of the Passenger Transport Board's annual report 1996-97?
2. Will these schemes be expanded in 1998-99?

##### **The Hon. DIANA LAIDLAW:**

1. For the period July 1997 to March 1998, the cost of the 'Journey to Work Scheme' which provides for a 75 per cent taxi fare subsidy totalled \$97 881.35. For the same period, the cost of the 'Tertiary Education Assistance Scheme' which provides a 100 per cent taxi fare subsidy was \$41 621.70.
2. The 'Journey to Work Scheme' was introduced in October 1995 while the 'Tertiary Education Assistance Scheme' has been in operation since January 1990. There are no plans for extension of either Scheme at this time.

#### TRANSPORT, PROJECT

162. **The Hon. T.G. CAMERON:** How much individually did each of the research, development and promotion projects listed on page 30 of the passenger Transport Board's Annual Report 1996-97 cost?

**The Hon. DIANA LAIDLAW:** The answer is as follows:

Applicant	Title	Approved Expenditure
Passenger Transport Board	Access Cab Business Plan	8 500
District Council of Meningie	Murray Mallee Transport Scheme	10 000
City of Gawler	Gawler Passenger Transport Service	67 808
Bus Industry Advisory Panel	Tour Charter & Services Review—Phase 2	30 250
South Australian Taxi Association	Driver of the Year Award Sponsorship	12 500
TransAdelaide / University of South Australia	Women in Public Transport Sector	5 890
Passenger Transport Board / Port Augusta City Council	Development of Tendering Framework—Provincial Cities	10 000
Passenger Transport Board	Access Cab Owner/Driver Viability	8 500
Taxi Industry Advisory Panel	Don't Drink and Drive	67 928
Richard Brecknock	Junction 96: Art and Public Transport Symposium	5 000
Passenger Transport Board	Mid North Region Community Passenger Network	45 000
Southern Region of Councils	Outer Southern Region Passenger Transport Co-ordination Feasibility Study	54 900
Transport Systems Centre, University of South Australia / Symonds Travers Morgan	Taxi Safety Incentives Project—Video Surveillance Equipment	20 000
Transport Systems Centre, University of South Australia / Symonds Travers Morgan	Taxi Safety Incentives Project—Driver Safety	50 000
Passenger Transport Board	Taxi Safety Incentives Project—Consultancy	16 896
Transport Systems Centre, University of South Australia	Demand Responsive Passenger Transport Feeder Services	18 200
Australian Red Cross / Passenger Transport Board	Baby Passenger Safety	5 000
Australian Red Cross	South East Community Passenger Network	40 000
District Council of Berri and Barmera	Riverland Community Transport System	120 000
Southern Region of Councils	Transport Co-ordinator	55 000
Barossa Regional Economic Development Authority	Stage 1—Consultancy to Examine Provision of Regular Rail Passenger Services to the Region	20 000
Taxi Industry Advisory Panel	Promotional Campaign—Stage 1	45 000
Bus Industry Advisory Panel / Ian Western	Review of adequacy of SA Tour and Charter Services	55 000
Passenger Transport Board	Community Transport Officer	55 138

#### TRANSPORT, INTERCHANGE

163. **The Hon. T.G. CAMERON:** How much individually was spent upgrading the Elizabeth, Salisbury, Modbury and Marion interchanges during 1996-97?

**The Hon. DIANA LAIDLAW:** All of the above interchanges were upgraded during 1996-97. The upgrade works at Elizabeth and Salisbury were carried out by local Councils and at Modbury and Marion by the shopping centre managements.

In each instance, the Passenger Transport Board (PTB) and TransAdelaide played a role in negotiating the upgrades at all the

interchanges. However, neither agency was required to contribute a significant amount of money, over and above the expenditure for bus stop signs at Marion.

Salisbury Council for instance, upgraded Salisbury interchange during 1996-97, spending approximately \$500 000. The Council undertook this work as part of an exchange which involved TransAdelaide transferring the ownership of land on the southern side of Park Terrace.

In conjunction with the renaming of Modbury interchange, both Transport SA and the PTB were associated with the upgrade of the Tea Tree Plaza destination, completed in September 1997.

## PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

- Department of Education, Training and Employment—  
Annual Report, 1997
- Regulations under the following Acts—  
ASER (Restructure) Act 1997—Restructure  
Public Corporations Act 1993—Funds SA Subsidiary  
Holding
- District Council By-law—Tumby Bay—No. 14—Keeping  
of Dogs

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

- Regulations under the following Acts—  
Dangerous Substances Act 1979—Fees  
Explosives Act 1936—Fees  
Fees Regulation Act 1927—Water and Sewerage Fees  
Fisheries Act 1982—  
Abalone Fisheries  
Blue Crap Fishery  
Fish Processors  
General  
Lakes and Coorong Fishery  
Management Committees  
Marine Scalefish Fisheries  
Miscellaneous Fishery  
Prawn Fishery  
River Fishery  
Rock lobster Fisheries  
Meat Hygiene Act 1994—Fees  
Occupational Health, Safety and Welfare Act 1986—  
Fees  
Sewerage Act 1929—Other Charges  
Veterinary Surgeons Act 1985—Rules of Conduct  
Waterworks Act 1932—Other Charges
- Rules of Court—  
Supreme Court Act 1935—Criminal—Subpoena

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

- Regulations under the following Acts—  
Trade Standards Act 1979—  
Lighters  
Cots for Household Use

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

- Regulations under the following Acts—  
Chiropodists Act 1950—Fees  
Environment Protection Act 1993—Licence Fees and  
Solid Waste Levy  
Harbors and Navigation Act 1993—Recreational  
Vessel Licence
- By-law—Royal Adelaide Hospital—Amendment to  
By-law No. 15
- Response by Minister for Environment and Heritage to  
Recommendations of Environment, Resources and  
Development Committee—Aromatics in Petrol with  
particular reference to Benzene.

#### ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

**The Hon. J.S.L. DAWKINS:** I lay on the table the report of the committee on aquaculture.

#### ELECTRICITY, PRIVATISATION

**The Hon. R.I. LUCAS (Treasurer):** I seek leave to table a copy of a ministerial statement made today in another place by the Premier on the subject of electricity reform.  
Leave granted.

#### QUESTION TIME

##### ELECTRICITY, PRIVATISATION

**The Hon. CAROLYN PICKLES:** I seek leave to make a brief explanation before asking the Treasurer a question about the sale of ETSA and Optima Energy.

Leave granted.

**The Hon. CAROLYN PICKLES:** Last November, following the near death experience of the Government, the Premier indicated that he could instruct Government members to vote against the Government, that is, itself, in a no-confidence motion. The Premier threatened such action if key legislation was blocked in Parliament. The media report states:

Mr Olsen said he would rather risk being thrown out of Government at an early poll than keep a seat warm for four years in an unworkable Parliament.

The Democrats Leader (Hon. Mr Elliott), who was also quoted at the time, stated:

What he is asking for is a dictatorship.

Earlier this week and on the same topic, the Premier refused to rule out placing the ETSA sale proposal to the people and holding a referendum. My questions are:

1. Does the Treasurer support designating the ETSA legislation a Bill of special importance and forcing an early election?

2. Does he support the Premier in his recent statements which indicate he is considering a referendum as an option?

**The Hon. A.J. Redford:** Tell her about the poll, Rob!

**The Hon. R.I. LUCAS:** My friend and colleague the Hon. Mr Redford sorely tempts me to make some comment about the opinion polls as to how the Labor Party's approach to Opposition has been greeted by the electorate, with that Party's constant negativism and constant knocking.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** However, I will not be tempted, because these polls come and go.

*The Hon. T.G. Cameron interjecting:*

**The Hon. R.I. LUCAS:** I would ask the Hon. Mr Cameron where the Labor Party primary vote was.

*The Hon. T.G. Cameron interjecting:*

**The Hon. R.I. LUCAS:** Exactly. No matter how attractive or tempting it might be on occasions, I will not be diverted into commenting on monthly or quarterly opinion polls because they do come and go. Sadly, the Leader of the Opposition does not understand the provisions of the Constitution Act in South Australia in relation to Bills of Special Importance. If she did, she might realise that, if a Government chose to do so at this time, it could only eventually take out the House of Assembly. There is a minimum six year or 5½ year term for members of the Legislative Council.

**The Hon. T.G. Cameron:** Hear, hear!

**The Hon. R.I. LUCAS:** And the Hon. Mr Cameron says, 'Hear, hear!', seeking to further undermine his own Leader's question. It is a silly question from the Leader of the Opposition and one which is based on lack of research of the broad guidelines of the Constitution Act and the operations of the Bill of Special Importance provisions. Even if a Government chose to use them—

*The Hon. Carolyn Pickles interjecting:*

**The Hon. R.I. LUCAS:** Now the honourable member says, 'What about part 2' or 'What about the either/or?' The first question was a silly one because, if a Government wanted—and I am not saying that this Government has made the judgment—to impact on the Legislative Council, why on earth would it do it at a time when it could not take out even half the Legislative Council? Given the silliness of the questions, I do not intend hypothetically to answer them, other than dismissing them for what they are.

*The Hon. K.T. Griffin interjecting:*

**The Hon. R.I. LUCAS:** As the Attorney says, I will treat it with the contempt it deserves. In relation to the referendum, the Premier responded to that yesterday and again today. All the Premier indicated yesterday when he was asked a question was that he was not ruling anything out. He gave no indication of the Government's—

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Look, this Government is undeterred, in terms of what it believes to be an issue of critical importance to the taxpayers (both present and future) in South Australia, and it is undeterred from its intention of trying to ensure the passage of the legislation through both Houses of the Parliament. The Premier has not indicated that the Government is considering this option. In response to a further question, he indicated that he, too, is as intent as is the Government on pushing ahead undeterred with this legislation and he is not wanting to wait around for the possibilities of referenda, or something along those lines, that might be suggested. All he said yesterday was that he was not ruling out any options and, obviously, that is the sensible course of action for the Premier in terms of how we might attack this for the future.

**The Hon. T. CROTHERS:** I have a supplementary question. Given that this Government was re-elected on a promise of its not going to sell ETSA, does the Leader of this House believe, therefore, that a referendum is warranted? Given that it was not part of the policy in respect of this Government's re-election policies to sell ETSA, does he believe that a referendum may well be the way to go?

**The Hon. R.I. LUCAS:** I have nothing further to add in relation to the option of referendum on this issue or otherwise. The Government is intent on pursuing the public debate of this issue in both Houses of the Parliament during the months of July and August. The Government intends to press ahead with the sale Bill and the related restructuring and associated Bills which are to be presented—

*The Hon. T.G. Cameron interjecting:*

**The Hon. R.I. LUCAS:** A lot of things will be carried in a referendum. I suspect that capital punishment will be carried in a referendum. There are a range of issues. I suspect—

**The Hon. A.J. Redford:** Abolition of speed cameras.

**The Hon. R.I. LUCAS:** Yes, the abolition of speed cameras. I suspect halving the tax that is imposed on the electorate would also be passed in a referendum. In the end, Governments are elected to make decisions, to lead and sometimes to take decisions that might not be universally popular. Ultimately, in the best interests of the State, at sometime someone has to adopt a different approach to government and leadership from that adopted by Mike Rann in relation to the Labor Party, that is, that which is negative and that which is opposite to what the Government suggests.

**The Hon. Diana Laidlaw:** We wouldn't have Roxby today.

**The Hon. R.I. LUCAS:** Exactly, we would not have Roxby today because, at the time, it was popular to oppose

Roxby Downs so Mike Rann led the opposition to that development. He believes it is popular today to oppose the privatisation of ETSA: that is his view. There is no firm ideological principle with Mike Rann: it is basically a mixture of opposing everything that John Olsen and the Government do and, secondly, looking at what he believes will be most politically popular for him and the Labor Party rather than what is in the best interests of the future of this State.

## ELECTRICITY, CONSULTANTS

**The Hon. P. HOLLOWAY:** My question is addressed to the Treasurer. Given that the Government has employed legal, accounting, public relations and other consultants in connection with the sale of ETSA and Optima before Parliament has had an opportunity to vote on the sell off, will the Minister say for what consultancy payments the State is liable, including any compensation to consultants, if the sale does not go ahead?

**The Hon. R.I. LUCAS:** In an open, honest and transparent fashion prior to the Estimates Committee, on behalf of the Government I indicated exactly how much we paid each of the consultants through the financial year 1997-98, and we indicated in aggregate what we expected to pay the consultants in the financial year 1998-99. I also indicated that, at the end of each financial year, on behalf of the Government I would report to Parliament and to the community on the actual payments which have been disbursed during a particular year. We are not countenancing the consequences of the negative, knocking, criticising and carping opposition of the Hon. Mr Holloway and Mr Rann.

**The Hon. L.H. Davis:** Who privately supports it.

**The Hon. R.I. LUCAS:** My colleague says 'who privately supports it'. I am not going to indicate publicly my knowledge of the Hon. Mr Holloway's views on this matter because it is for the Hon. Mr Holloway to stand up in accordance with his own conscience and indicate his real views on the legislation. 'What will happen if we do this to you as a Government?', says the Labor Party, but we will not go down that path. We are intent on getting the Bill through Parliament. If in the end there is a range of consequences or actions, the actual disbursements will be reported by me in an open and transparent manner, as I have already demonstrated at the end of this current financial year.

**The Hon. SANDRA KANCK:** I have a supplementary question. Are any of the payments to the consultants based on the sale occurring and, if so, how much are those payments worth?

**The Hon. R.I. LUCAS:** It has already been publicly indicated that for Morgan Stanley, which is one consultant, there will be a success fee in terms of the sale value of the consultancy. As I have indicated publicly, when we make payments, we will report at the end of each financial year in an open, honest and transparent manner the nature of those payments. The Auditor-General and anyone else who wants to look at the way in which we spend our money will be able to see clearly and in a transparent way exactly how the money is being spent. I will be reporting to Parliament and to the community in terms of any payments that we make to our consultants.

**The Hon. M.J. ELLIOTT:** I have a supplementary question. Precisely how much of the payment is dependent upon success?

**The Hon. R.I. LUCAS:** Is it not extraordinary! The Hon. Mr Elliott, who is out there opposing this sale, now wants to

know, in the event that it is sold, how much the consultants will collect.

*Members interjecting:*

**The Hon. R.I. LUCAS:** Do you reckon he is the one?

*Members interjecting:*

**The Hon. R.I. LUCAS:** I am sure none of us have to try to be nice to the Leader of the Australian Democrats—that would be within our nature. It is sometimes—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** It is sometimes difficult, I must say, given their approach to policy issues and some of their public statements. It does not matter how many times—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** It does not matter how many times and how many different members want to ask a supplementary question: the answer remains exactly the same. At the end of each financial year, I will report in an open, honest and transparent fashion—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:**—as would be befit this Government, on any disbursements we make to any of our consultants, which may well include success fees.

#### MOUNT SCHANK ABATTOIR

**The Hon. T.G. ROBERTS:** I seek leave to make a brief explanation before asking the Treasurer, representing the Deputy Premier and Minister for Industry, Trade and Tourism, a question about the Mount Schank Abattoir dispute.

Leave granted.

**The Hon. T.G. ROBERTS:** At the moment, there is a dispute in the South-East at the Mount Schank Abattoir that makes the docks look like a play picnic. The difficulties in which the company and the employees have found themselves—and the employers certainly do not have the same problem as the employees—result from the fact that one abattoir is being broken up into four different companies. I am not in a position to say that the break-up of that single abattoir has been undertaken to avoid taxation, because I am certainly in no position to be able to provide that information to the Council, but I do know that it has caused major inconvenience and exacerbated a dispute that is absolutely unnecessary.

More than 100 employees' jobs are at stake in this dispute with the employer, given that two of the companies that provide services to the abattoir, within the abattoir and under the same roof as the major meat processing company, have liquidated their services and are unable to meet the required payments of superannuation, back-pay, wages, etc.—a total, as estimated by the union, of over \$1 million. When I attended the picket on Friday, I was told that the figure is more like \$1.3 million or \$1.4 million. The employees have been negotiating with the company for some time, trying to keep the company afloat, not knowing that two of the companies under the one roof of the principal company that they are dealing with—or failing to deal with, in this case—were shelf companies that had little or no assets.

The principal company is now applying to Centrelink, I understand, to conduct job interviews. One can only assume that it will try to trade its way out of difficulties—if, indeed, it is in difficulties. The employees really do not know, given

the confused picture of things there, if the principal company is actually trying to trade its way out of receivership or whether it is a fluid company that is able to operate and make profits—and I suspect, from the information given to me, that it is.

A picket line is holding up at least one container of meat that is trying to make its way onto the international market, and it is certainly creating a lot of difficulty for many families in the Mount Gambier area, given that it is mid winter. People have not had any wages for some considerable time and, as I said, there are outstanding wages to the people in this area of over \$1 million. In fact, one employee informed me that he had \$16 000 outstanding to him. In an attempt to keep the company afloat this money had been put back into the pool, but it has now been disposed of by this company, in a cynical way, and it cannot be recouped. My questions are:

1. Is the Minister paying strict attention to this dispute or is he aware of it? If he is, will the Government use its resources to bring about a resolution of the dispute and assist in the negotiating process?

2. Will the Government recommend Commonwealth and State legislative changes to the appropriate Acts so that these circumstances do not arise again?

**The Hon. R.I. LUCAS:** I will refer those questions to my colleague in another place and bring back a reply.

#### ELECTRICITY, PRIVATISATION

**The Hon. L.H. DAVIS:** I seek leave to make a brief explanation before asking the Leader of the Government in the Council and the Treasurer a question about electricity privatisation.

Leave granted.

**The Hon. L.H. DAVIS:** Last week media reports claimed that the State Government had requested the Australian Democrats not to release their decision on South Australian electricity privatisation because further information was becoming available to them. I understand that the Government specifically advised the Hon. Sandra Kanck (Australian Democrats spokesperson on this issue) that some of the very important detail relating to ETSA's privatisation could not be made available to her because it had yet to be signed off by the Australian Competition and Consumer Commission (ACCC) and the NCC, but that as soon as that information became available the Australian Democrats, along with other interested parties, would be given access to it.

Notwithstanding that, the Democrats chose to proceed and release their decision—which, interestingly enough, confirmed that their spokesperson, the energetic Hon. Sandra Kanck, had made the decision one month ago: hundreds of hours before the thousands of hours of research had actually been concluded, which says—

*Members interjecting:*

**The Hon. L.H. DAVIS:** In other words, the Democrats had finished their thousands of hours of research a month ago? Is that what the honourable member is saying?

*Members interjecting:*

**The Hon. L.H. DAVIS:** In releasing their reasons for opposing electricity privatisation, the Australian Democrats said, in what has become known as the Kanck report—I am not sure how that is spelt:

ETSA's transmission and distribution businesses face no market risk. There will be no—

*Members interjecting:*

**The Hon. L.H. DAVIS:** Just listen to this, Mr Cameron. I would have thought that you might be interested in this. The Australian Democrats specifically say:

ETSA's transmission and distribution businesses face no market risk. There will be no trading loss in this area of the business.

My questions to the Treasurer are:

1. Is it true that the Australian Democrats were advised that more information would become available, particularly on the important restructuring of ETSA, only after the ACCC and NCC had signed off on the deal?

2. Will the Treasurer comment on the Australian Democrats' claim that the transmission and distribution businesses of ETSA face no market risk and that there will be no trading losses in this area?

**The Hon. R.I. LUCAS:** On behalf of the Government and speaking personally as someone who has worked with the Hon. Sandra Kanck and the Hon. Michael Elliott for some time, I must say how extraordinarily disappointed I have been in the way in which, in the end, they conducted the negotiations. On behalf of the Government I spent many of these 1 000 hours of which the honourable member has talked discussing a whole range of issues with the Hon. Sandra Kanck and her team of advisers. On behalf of the Government I was able resolve many of those issues either immediately or after some weeks of providing information in a form which was suitable for the Hon. Sandra Kanck to assess and then make her own judgments on.

During those discussions the Hon. Sandra Kanck raised a whole series of questions and it became apparent that many of them would have to go not only to the Cabinet for final resolution but also to a number of regulatory authorities such as the ACCC and the NCC for final sign-off. She also raised with me the issue of rural and regional South Australia and the impact on country pricing, services and standards, and professed to be interested in those sorts of issues for country South Australians, and those issues also had to be signed off by the ACCC and NCC and approved by the Cabinet ultimately as to what we were going to do to try to address these concerns. I repeat that they were concerns raised by the Hon. Sandra Kanck on behalf of the Democrats in seeking a Government response.

Some 10 days or so ago when I heard that the Hon. Sandra Kanck was going to make the decision last week I rang her and urged her to speak with her Leader and backbencher (Hon. Mr Gilfillan) and to have a look at whether they were prepared to delay by about four or five days—from the Thursday through to today—their ultimate decision so that at least they could hear the answers to the questions that they had put to me.

*The Hon. Sandra Kanck interjecting:*

**The Hon. R.I. LUCAS:** At least listen: you asked questions. From back in those days when you go to school you ask questions. At least you could do the courtesy to wait for the responses before you make some sort of judgment about the issue. The Hon. Sandra Kanck was told by me, as was the Hon. Mr Elliott, that we still had to get some sign-offs from the ACCC and the NCC which were likely to come through late last week or potentially as late as Monday of this week, and that it was only then that we would be in a position to talk about the number of distribution companies and in particular the issue of what we would be seeking to provide for country people in terms of pricing and standards.

The Hon. Sandra Kanck is now saying that there is nothing in this statement which is of any importance. It is a

major statement in relation to the guarantees that we are seeking to give to country people under the national electricity market and under a privatised electricity industry. The Hon. Sandra Kanck says that that is not important and is not an issue that she should have waited for. I think it is an absolute shame that the honourable member, who sat down with me and put all those questions, was unprepared to wait for the answers before she made a decision.

I admit that I was appalled, because when I first heard the press report I thought, 'I'm sure the Hon. Sandra Kanck wouldn't have said that'—that is, 'I'd already made my mind up four weeks ago'—and that this last four weeks has been a waste of time. It was then reported again that she had confirmed that she had made her decision some four weeks ago. I had sat down with the Hon. Sandra Kanck and the Hon. Mr Elliott, and with the Hon. Sandra Kanck in that last four weeks, in good faith and was told that they still had not made their decision, that they wanted further information and still wanted answers to these questions to help them determine their position; and whilst I am sitting down, like a Democrat sucker and talking, being led like—

**The Hon. A.J. Redford:** Like a lamb to the slaughter!

**The Hon. R.I. LUCAS:**—exactly, being led like a lamb to the slaughter by the Hon. Sandra Kanck, trying to get that information—we were going through Cabinet to get approvals and were negotiating with the ACCC and the NCC for approvals—I find that she has now indicated that she had already made up her mind four weeks ago and in the end was not prepared to listen to the answers that the Government was giving to the questions that she had raised with me on behalf of the Democrats and her constituents during all those discussions. Then on Thursday—and I am sure that we will have time over the coming days to explore this—

**The Hon. L.H. Davis:** She said that she asked no questions in the last month.

**The Hon. R.I. LUCAS:**—the honourable member sent along the Hon. Michael Elliott to try to understand the issues in relation to State debt and the repayment of loans and—

*The Hon. Sandra Kanck interjecting:*

**The Hon. R.I. LUCAS:** I will talk about—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** I will address the issue of the Hon. Mr Elliott at another stage. The honourable member then issued this document which purports to be a justification for her decision. The Hon. Mr Davis has already referred to one statement and I am sure that we will explore others. The honourable member's statement reads:

ETSA's transmission and distribution businesses face no market risk. . . there will be no trading losses in the area of this business.

I am sure that all owners of transmission and distribution businesses throughout the world are now comforted by the fact that the Deputy Leader of the Australian Democrats has said to them that, as owners of these businesses, there is no risk and that there will be no trading losses to their businesses. The Deputy Leader of the Democrats in South Australia has spoken and there will be no risk of any losses. The Deputy Leader of the Democrats, speaking on behalf of the Democrats, has, in one fell swoop, re-written the entire market structure of the electricity industry not only in South Australia but nationally and worldwide by indicating that there are no trading risks to transmission and distribution businesses.



I will be delighted to hear the Hon. Sandra Kanck and her colleagues explain to the owners of transmission and distribution businesses the risks of major customers deciding to bypass the transmission and distribution system. We have already experienced ETSA's losing the recent opportunity to build and operate a major transmission line to serve Olympic Dam because it was not competitive. But, no, that is not a risk to the operation of a transmission or distribution business.

**The Hon. L.H. Davis:** That was a mirage in the desert.

**The Hon. R.I. LUCAS:** That was another mirage in the desert to which the Hon. Mike Rann referred. I would be delighted to have the Hon. Sandra Kanck explain to the owners of all these transmission businesses that no risks are involved when South Australia has 27 customers representing 17 per cent of the revenue base of ETSA's transmission. Loss of any of these major customers will potentially result in stranded assets meaning that asset values might be reduced or, indeed, ultimately wiped out if they cannot compete.

I will be delighted also for the Hon. Sandra Kanck to explain to these owners of transmission and distribution businesses—and I refer her to the owners of the gas industry in Victoria—that there is no risk at all in the independent operations of regulators when they, through the swoop of a pen, can write down the weight of average cost of capital—as they have sought to do and which is still subject to appeal—to 7 per cent from the 9.5 per cent that was sought by the industry and the Government in Victoria. Overnight that resulted in significant reductions in the capital and share values of a number of industries, not directly related to gas but associated with the electricity industry, such as United Energy, Australian Gas and a number of other companies. Significant reductions occurred in the share value within days of the announcement of the regulator's decision. But, no, the Hon. Sandra Kanck has spoken. She has told all the Democrats throughout South Australia, and anyone else who is prepared to listen, that there is no risk to transmission—

*The Hon. T.G. Cameron interjecting:*

**The Hon. R.I. LUCAS:** That is if you assume they are all still with the Democrats. One must bear in mind that the regulator is independent of the Government of the day, of the Parliament and of the Minister, but the Hon. Sandra Kanck has said, 'Don't worry about it. There is no risk at all. As the Deputy Leader of the Australia Democrats I have indicated that there is no risk to your transmission and distribution business. There will be no trading losses to business in this area.' With that sort of logic, sadly, the finances of this State are still subject to the whims of the financial clowns running the Democrats and the Labor Party, such as Mike Rann and Kevin Foley, who believe you can make statements like that, and then, in some way, because the Democrats have said that there are no trading risks—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —and that the owners of transmission and distribution businesses do not have to worry, it will all be all right. That is not the way to run a business, an electricity industry, a State or a Government. For the sake of South Australia, it is about time that someone started looking at some of the statements made by people such as the Deputy Leader of the Democrats that are based on supposed facts when they are absolute nonsense and rubbish.

**The Hon. A.J. REDFORD:** As a supplementary question, have the Australian Democrats indicated to the Treasurer their attitude on the restructure of ETSA and the changes

necessary to ETSA even in the absence of a sale and, if so, what views have they conveyed to him?

**The Hon. R.I. LUCAS:** It depends on what day of the week you want to talk about it. All I have to say is that the views that were expressed to me by the Deputy Leader of the Australian Democrats and the views expressed in her public statement—this document that she issued entitled 'Keep Optima Energy and ETSA in public hands', or whatever else it is—were completely at opposite ends of the spectrum. I am presuming that this document comes after the discussions I had with the honourable member. I presume that this statement is the latest. Whether that will change a week or two down the track, I cannot say.

It will be for the Deputy Leader of the Democrats to explain the discussions she had with me about competition policy. Indeed, at one stage she took umbrage at the fact that the Government said that it was still taking advice. She said, 'Well, it has only taken me a month. I have already decided that Optima must be disaggregated. I am surprised. You have all these highly-paid advisers, why don't you just come and talk to me?' That was the honourable member's advice—

*The Hon. Sandra Kanck interjecting:*

**The Hon. R.I. LUCAS:** It is exactly what was said and there is a notation to that effect. That is exactly what she said. This document has been released and, so, I do not know. I understand that the honourable member might have made other statements in the past couple of days in relation to restructuring the industry. As I said, I cannot keep up with the Democrat policy in relation to these particular—

*Members interjecting:*

**The PRESIDENT:** Order! Has the Treasurer finished his reply?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** I am sure that the Deputy Leader will have an opportunity later to put down her latest position on Optima and ETSA and I will, as I am sure will everyone else, be very attentive to hear what the latest policy position happens to be.

## METHADONE

**The Hon. SANDRA KANCK:** I seek leave to make an explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Human Services, a question about the shortage of GPs for the methadone program.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. A.J. Redford interjecting:*

**The PRESIDENT:** Order! The Hon. Angus Redford will come to order.

*Members interjecting:*

**The PRESIDENT:** Order!

Leave granted.

**The Hon. SANDRA KANCK:** Currently about 1 700 South Australians are on the State Government controlled methadone program. The program involves the addict visiting a prescribed GP who has undertaken training for the program followed by daily visits to the chemist for oral dosage of the methadone. The cost of methadone to the addict is just \$2.50 per day as opposed to anything from \$50 to \$400 per day for heroin. From a community's perspective, the methadone program has resulted in a reduction in crime but, despite the success of the program, it is estimated that the unmet demand

for the program is of the order of 1 000 heroin users because of a shortage of GPs enlisted in the program. There is no service at all on the Eyre Peninsula. As a result of this shortage, virtually no new people have been put on the methadone program over the last six months. My questions are:

1. Is it the Minister's understanding that the number of heroin addicts waiting to go on the methadone program is in the order of 1 000? If not, what number does he believe it to be?

2. Will the Minister investigate why Western Australia has no difficulty in recruiting GPs for their program and take on some of their initiatives to improve South Australia's situation?

3. Given the reductions in crime and therefore costs to our police and judicial system, does the Minister consider that the methadone program is well justified?

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

#### HOUSING TRUST HEATERS

In reply to **Hon. SANDRA KANCK** (26 February).

**The Hon. DIANA LAIDLAW:** The Minister for Human Services has provided the following information.

1. The retail cost of a common brand of fan forced convection heater of 12 Megajoules (MJ) capacity is \$682. Installation cost would range between \$150 and \$250 depending upon the availability of an existing gas outlet. Trust houses built since 1992 which have gas connected have a capped gas outlet for a future heater connection.

2. The Heaters which are removed are generally the 'Saphire' and 'Serene' non-flued candle style radiant heater of 15MJ capacity. An electric heater of similar capacity (approx. 39 Kilowatts (KW) (source: Energy Information Centre EIC) is a commercially available fan forced 3.5KW unit with a retail cost of \$248. Installation cost would be approximately \$150.

3. Based on 70M2 Living area, 5 months heating at an average of 6 hours/day heated to a comfort temperature of 23 degrees, the following are the heating options. (Source: Energy Information Centre).

Radiant Electric	\$310
Rev cycle Electric - 5 Star	\$110
- low Star	\$140
Flued Gas	\$230
Flueless Natural Gas	\$110—\$120 (all gas home)
Flueless Low Pressure Gas	\$210—\$220

4. The trust continues to be a leader in the field of sustainable housing development. House design, orientation and insulation levels are all important assessment considerations when the trust acquires new housing. New trust housing has had ceiling insulation installed since 1961 and ceiling insulation retrofit programs have now ensured that 90 per cent of existing housing stock is insulated with a target of all stock being insulated by the year 2000. These measures ensure that the potential for tenant heating and cooking cost savings is maximised. The trust also selects fixed appliances (gas and electric) using energy efficiency as one of the key criteria also maximising potential cost savings for the tenant. These procedures are all consistent with the trust's current Energy Policy and ensure that the majority of trust tenants have the potential to maximise savings with whichever heating appliance they choose. The current mix of all electric and gas electric houses available to tenants also provides a degree of choice.

5. The Housing Trust's current policy for new housing is to provide gas appliances (excluding heater), wherever gas reticulation is available. Because of the wide distribution of gas reticulation in the metropolitan area and the trust's New Build program being concentrated in these areas, most new trust houses have gas connections. 55 per cent of current trust housing stock is reticulated with gas.

It should be noted that for reasons of safety, all new aged specific housing and apartment accommodation are all electric. These types represent approximately 10 per cent of total stock.

#### PORT STANVAC

In reply to **Hon. SANDRA KANCK** (18 March).

**The Hon. DIANA LAIDLAW:**

1. A very large crude carrier (VLCC) is an oil tanker having a deadweight in the range of between 160 000 and 319 999 tonnes.

The Single Buoy Mooring (SBM) at Port Stanvac, which was commissioned in May 1992, has always had the ability to accept VLCCs albeit, until recently, with certain defining criteria. The first VLCC to use the SBM was the 180 500 tonne vessel DAIMON, piloted by Capt Mike Fenn in May 1995.

In 1994, the feasibility of redefining the SBM use criteria so that larger VLCC's could use the facility at Port Stanvac was identified by Mobil as a means to reduce the freight costs on crude oil imports into the Port Stanvac Refinery. This initiative was regarded as essential to greatly enhance the continuing viability of the facility in the highly competitive field of petroleum refining.

Four years of exhaustive research, computer modelling and hazard and risk analysis, much of which was breaking new ground in the study of large vessels behaviour while moored at a SBM, resulted in the buoy system at Port Stanvac being assessed and certified by the internationally recognised American Bureau of Shipping (ABS) Classification Society, as being capable of handling oil tankers of up to 300 000 deadweight tonne capacity. ABS certification, which is reviewed annually, ensures the continuing suitability, and demonstrates that the facility meets internationally recognised standards.

The nylon hawser to which the honourable member refers was installed as a result of the computer modelling and, when used within operating limits, does not increase but rather reduces the loads transmitted to the mooring chains of the SBM. The load on the hawser is closely monitored when a VLCC is moored to the SBM with a state of the art load monitoring system.

Transport SA, formerly the Department of Transport, was provided with copies of the print-outs of the Port Stanvac Remote Environmental Monitoring System (REMS) and Load Monitoring System records for the period of the vessels stay at the SBM. This information indicated that at no time was the system loaded at anywhere near the maximum capacity of that SBM system.

Mobil are operating within the design parameters of the SBM system at Port Stanvac and, as such, do not need to seek Transport SA approval. They have provided a complete set of working procedures, entitled 'Adelaide Refinery, Port Stanvac SBM Operating Procedures for VLCCs'. In addition, the Company has kept Transport SA fully briefed on their intentions. Mobil Marine Officers, who are the Pilots for the Port, have undertaken extensive training in the handling of VLCC vessels.

Mobil operates similar facilities in many places around the world and is committed to safe and environmentally sound operations. The successful recent visit of the SAUDI SPLENDOR (278 000 tonnes deadweight) in March 1998 validated the detailed engineering assessments, computer modelling and long term planning and training which has gone into the use of VLCCs at Port Stanvac.

2. No. Mobil has continually provided Transport SA with complete briefings on the developments taking place at Port Stanvac. Transport SA has, however, been provided with the more complete Port Stanvac, SBM Analysis—Stage 2, Operating Environment Definition (29 February 1996), which forms the basis of the SBM Operating Procedures for VLCCs referred to in Question 1.

3. In light of the information contained in answer to the above questions, there are no grounds for the allegations that Mobil exceeded the capabilities of the SBM at Port Stanvac, nor that they inadequately prepared for the arrival of the SAUDI SPLENDOR.

The Marine Environment and Safety Operations Manager, Transport SA has confirmed that Mobil implemented and monitored every step laid down in the VLCC operating manual, which included the provision of a large harbor tug available on site throughout the period of the SAUDI SPLENDOR stay. An independent inquiry is therefore not considered warranted.

Transport SA, in keeping with best practice and quality controls, will periodically conduct a full safety audit of all port operations and pilotage procedures at Port Stanvac. The audits will include observing all VLCC shipboard procedures.

#### HOSPITALS, PATIENT TRANSFERS

**The Hon. G. WEATHERILL:** I seek leave to make a brief explanation before asking the Minister for Transport,

representing the Minister for Human Services, a question about hospital transfers.

Leave granted.

**The Hon. G. WEATHERILL:** I am told that many transfers from the Queen Elizabeth Hospital to the Royal Adelaide Hospital have been occurring for some time. They appear to be happening between the hours of 11 p.m. and 4 a.m. It is not just one or two but apparently the number runs into double figures. I have been told—and could the Minister verify it—that the Royal Adelaide Hospital is allowed extra funding for people being transferred to it from the QEH to enable it to open up more wards? Is this same funding being given to the QEH?

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

### GRANTS FOR SENIORS PROGRAM

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister for the Ageing a question about grants for seniors.

Leave granted.

**The Hon. J.S.L. DAWKINS:** The State Government's Grants for Seniors program has in the past provided small one-off grants which assist elderly people to continue taking part in a wide range of community and group activities. Is the Minister able to report on when this year's grants for seniors will become available to groups and organisations in both metropolitan and non-metropolitan areas?

**The Hon. R.D. LAWSON:** The honourable member has often expressed concern about the resources made available to people in the country in South Australia, especially the elderly. I am pleased to be able to report that this year's Grants for Seniors program will be distributed very shortly. These grants, which are only of small amounts, are made to community organisations, most of which are run by dedicated volunteers. This year, some 305 different organisations will receive grants in response to applications they have made.

The purpose of these grants is to assist ageing members of the community to enjoy their citizenship to the full. An active ageing community is, of course, a healthy community, and by making these grants the Government believes that the health and enjoyment of life of elderly citizens are greatly improved.

The grants are made to organisations across the whole State, and a wide range of associations and societies will benefit. From just looking at the list, I see that the Asian Elderly Welfare Association, the Asian Women's Consultative Council, the Association of Greek Senior Citizens of Mile End and the Western Suburbs, the Association of the Spanish of the Third Age indicate some of the wide range of ethnic organisations that will benefit. The Australian Retired Persons Association has a number of different groups around the metropolitan and country areas, and quite a number of those groups will receive grants for matters as diverse as billiard cues, card tables, filing cabinets and suspension files.

**The Hon. T.G. Roberts:** What about Gawler?

**The Hon. R.D. LAWSON:** That is a very good question, bearing in mind the questioner's interest. The Gawler and District Senior Citizens Club will receive a grant, as will the Gawler Health and Community Services Craft Group. Typical of those grants, that association will receive a laminator, cane basket materials, haberdashery, stationery, art materials and wood. The honourable questioner has an interest in matters

in the Riverland in South Australia, and I am delighted to see that the Berri Croquet Club and the Berri Senior Citizens Club will also receive grants.

The South Australian Pensioners Association is another organisation which has a large number of branches across the State, one of which I am glad to see is at Evanston. That branch at Gawler will receive a grant for a public address system. The University of the Third Age is an interesting organisation, which encourages elderly and retired people in further studies. It has a number of branches including, I am glad to see, one at Gawler—which the Hon. Terry Roberts also will be glad to see—and it will receive a grant, as will a number of other church organisations such as (in concluding the alphabet) the Zion Lutheran Church of Gawler. I am delighted to announce that these grants will be made. More than 300 groups and many thousands of people will benefit from this program this year.

### CORRECTIONAL SERVICES ADVISORY COUNCIL

**The Hon. IAN GILFILLAN:** I seek leave to make a brief explanation before asking the Attorney-General a question about the Correctional Services Advisory Council.

Leave granted.

**The Hon. IAN GILFILLAN:** Just recently in the *Australian* there was a review of the book *Fear or Favour* by Australian lawyer David Heilpern, in which he recounted the incidences of rape, pack rape and brutal assault that take place in our Australian prisons and, rather tragically, gave the account of how he represented an 18 year old who was to be sentenced. He advised the judge that this would expose him to the risk of sexual assault and have devastating effects on him. The tragedy is that that is exactly what happened. The young man was pack-raped and, on his release from prison, committed suicide.

Heilpern also gives evidence that those who experience this treatment in prison often become offenders—sexual offenders/physically violent offenders—on their release. It is no good our putting our heads in the sand and pretending that this does not happen in our prisons, because it does. One of the structures set up to investigate on behalf of the Parliament, the Government and the community at large, is an organisation called the Correctional Services Advisory Council, which consists of six members having the duty to quote, monitor and evaluate the administration and operation of the Correctional Services Act: in other words, to be a watchdog.

The advisory council is empowered by the Act at any reasonable time to enter and inspect any correctional institution and ask questions of any person within the institution. But the council is virtually defunct. Its role in highlighting inappropriate practices has been well regarded by the Government in the past when the former Minister (Hon. Wayne Matthew) told members in another place on 23 August 1994 that he had relied upon advice from the council about poor security in determining to close the former Fine Default Centre at Northfield.

However, that reliance did not last long. A letter from the Hon. Dorothy Kotz, who succeeded Mr Matthew as Correctional Services Minister, was read to this Chamber by the ever observant Hon. Legh Davis in his role as Chair of the Statutory Authorities Review Committee. *Hansard* indicates at that time that the Hon. Dorothy Kotz said that a quorate

membership of the Correctional Services Advisory Council had not existed since 1996 and:

During the latter part of 1995, the then Minister for Correctional Services became disenchanted with the standard of advice being provided by the council, and over a period of months allowed membership of the council to expire. The last meeting of the council occurred in early 1996.

The Hon. Mr Davis further said (and I am quite certain he will recall this very clearly because he read it into *Hansard* on 23 July 1997):

The committee was unanimous in its view that it was totally inappropriate for the Minister to disregard the legislation which required the Correctional Services Advisory Council to meet and report.

The Act instructs the Ministers to appoint the vacancies and to get this council to report. Four successive Ministers have been in infringement of the law. It is the sort of matter which requires much closer attention, possibly by the DPP. The Government has been in default of its own legislation: it has refused to act.

**The Hon. L.H. Davis:** This is about two years old.

**The Hon. IAN GILFILLAN:** Well, the Hon. Legh Davis is—

**The PRESIDENT:** Order!—completely out of order.

**The Hon. IAN GILFILLAN:** It has been indicated to me that this is at least two years old. Of course it is two years old. In April 1996 (or therebefore) the last meeting was held. Ray Kidney, who was a member, wrote to the Attorney-General's Department and received a reply on 24 April from Dennis Carey, Manager, Administrative Services, saying that his comments had been noted. What a wonderful reassurance to the people of South Australia that this Government cares about what is happening in prisons!

**The Hon. K.T. GRIFFIN:** Mr President, I rise on a point of order. I do not mind answering these sorts of questions, but I draw attention to the fact that the honourable member is debating it and making assertions as matters of opinion, and he ought to keep to the facts.

**The PRESIDENT:** Order! I agree with the point of order. The Hon. Mr Gilfillan will bring his explanation to a close without debating the issue.

**The Hon. IAN GILFILLAN:** Mr President, I thought I was stating facts. I am referring to a letter from Dennis Carey, Manager, Administrative Services, of the Attorney-General's own department. Is that not a fact? In that letter, addressed to Mr Ray Kidney—a previous member of this council who complained that the council was defunct—it was stated that his comments had been noted. I regard that as fact. That is not opinion; that is fact. The questions which come from that are—

*Members interjecting:*

**The PRESIDENT:** Order! Let the honourable member ask his questions.

**The Hon. IAN GILFILLAN:** Will the Attorney answer: why has the Government not appointed any members to fill the vacancies in the Correctional Services Advisory Council in contravention of the Act which instructs that to be done? Why has there been no report? It is easy to quote a fact because in *Hansard* on 10 December the Attorney is reported as saying that there was going to be action regarding this report and that, as there had been no action, no report could be available for the years 1995-96; however, he expected there to be some action. Why has there been no action to get that council going? Is it because the Government does not believe that there is anything within our prison system that

deserves the scrutiny of this council, or is the Government purely inefficient?

**The Hon. K.T. GRIFFIN:** The answer to that question is 'Neither.'

*The Hon. Ian Gilfillan interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.T. GRIFFIN:** I know the honourable member is passionate about these sorts of issues but, if he asks them in a rational and reasonable manner without comment in his explanation, he will get a reasonable and rational answer.

**The Hon. T.G. Cameron:** Does the same apply to the Treasurer?

**The Hon. R.I. Lucas:** Hear, hear! Exactly.

**The Hon. K.T. GRIFFIN:** It applies to all four Ministers. As the honourable member indicated, soon after the election I tabled one of the outstanding reports from the Correctional Services Advisory Council. I acknowledge that there has been delay in making the appointments but I do know that the filling of the vacancies is imminent, and the Minister for Police, Correctional Services and Emergency Services has now brought the issues together, and I would expect that the vacancies will be resolved within a matter of weeks.

I think it was unfortunate that the honourable member should refer to the DPP's taking some action or that this might merit the DPP's looking at the matter. No offence has been committed and it was quite an unfortunate reference—perhaps to lift the emotion of the statement and the question. It is not as though there has been no surveillance or scrutiny of what occurs in the prison system. The Ombudsman has a continuing role and responsibility. The visiting justices still have a responsibility under the Correctional Services Act, and prisoners with any issue of complaint or otherwise are entitled to draw those to the attention of the visiting justices or to the Ombudsman—and, of course, members of Parliament have access to both prisons and individual prisoners. So, it is not as though there has been no scrutiny. There are still those avenues by which prisoners can make complaint.

In addition to that, the Legal Services Commission lawyers visit the prisons on a regular basis, and there is no shortage of opportunity for those who might have a grievance to ensure that that grievance is raised independently and also through the framework of the Department for Correctional Services, if that is an appropriate way to do it. I conclude by repeating what I have said: that the vacancies in the Correctional Services Advisory Council are likely to be filled in the very near future.

**The Hon. IAN GILFILLAN:** As a supplementary question, does the Attorney agree that the council has a vital role to play in surveillance of behaviour and procedures within the prison, and will he say how many council members are imminently about to be appointed?

**The Hon. K.T. GRIFFIN:** I will take the second question on notice. I think it is the full complement. There are still some who are members but, whatever vacancies there are, those vacancies are to be filled. In terms of the first question, the Correctional Services Advisory Council is an important part of the process. I would not say that it was vital. I have already indicated that there are other mechanisms by which prisoners with a particular grievance are able to bring that to the notice of independent bodies or persons. So, as I indicated, it is not as though they have been without recourse to some means by which grievances can be dealt with independently. More powerful than the Correctional Services Advisory

Council is the Ombudsman, and the Ombudsman, does, as I recollect—

**The Hon. Ian Gilfillan:** He doesn't visit prisons.

**The Hon. K.T. GRIFFIN:** There is access to the Ombudsman.

*An honourable member interjecting:*

**The Hon. K.T. GRIFFIN:** The visiting justices are there on a regular basis. So, there are avenues. I say that it is an important mechanism. I certainly would not agree for the reasons I have indicated, that it is vital.

#### MOTOR ACCIDENT COMMISSION

**The Hon. NICK XENOPHON:** I direct the following questions to the Treasurer.

1. Is the Treasurer aware of a report of Trowbridge Consulting (consulting actuaries for the Motor Accident Commission) dated June 1998?

2. Is the Treasurer aware of a comment in the report to the effect that after thorough investigation there is no cause for the Motor Accident Commission to consider any changes to compensation entitlements or claims management practice?

3. Will the Treasurer authorise the release of the report to the Council?

**The Hon. R.I. LUCAS:** I have had some advice on that because the Plaintiff Lawyers Association, a group with which the honourable member would be familiar, I am sure, has been raising the issue.

**The Hon. Diana Laidlaw:** He is still a member.

**The Hon. R.I. LUCAS:** Yes, and that is fine. I am advised that that statement or words to that effect—I cannot indicate whether that is the exact statement—is a reflection of the advice, if Parliament accepts a 12.9 per cent increase in premiums. As the Government has indicated, Parliament has two options. One option is to accept the 12.9 per cent premium increase without any structural changes to the scheme, and a statement along the lines to which the honourable member has referred has been made by the actuaries.

I have indicated in media interviews, in a number of discussions, and perhaps in Question Time that we have two options. We have the option of the 12.9 per cent premium increase, with no changes to the structure and the shape of the scheme, along the lines of the statement from the report that the honourable member referred to. The other option is, as I have indicated, that the Government has adopted the position where, if we do not want everyone to pay 12.9 per cent and if we want a lower premium increase of 8 per cent, we have to make some changes to the shape and structure of the scheme in terms of costs and claims.

I am sure the Hon. Mr Xenophon gets up early enough in the morning not to be misled by the people who have been lobbying him on this issue, but I am concerned that some people are trying to mislead the media and the honourable member by suggesting that this shock-horror report implies that we do not have to adopt any of these costs and claims control measures with the 8 per cent premium increase. I have had specific advice from MAC on that, and it has indicated that the advice was given in the context of Parliament accepting a 12.9 per cent premium increase. The Government has indicated that, if Parliament wants a 12.9 per cent increase, no major changes will have to be made to the scheme.

**The Hon. M.J. Elliott:** Can we see the report?

**The Hon. R.I. LUCAS:** That is an issue for MAC. The board has taken advice on that. It believes—

*The Hon. M.J. Elliott interjecting:*

**The Hon. R.I. LUCAS:** If the Hon. Mr Elliott disbelieves what I am saying, that is up to him. The Hon. Mr Xenophon can make his own judgments about the integrity of the statements that I make to him. The board has taken some advice in relation to this issue. It believes that this is confidential to its operations, but I will take some advice from it and see what might occur.

#### RACING BROADCASTS

In reply to **Hon. CAROLINE SCHAEFER** (28 May).

**The Hon. R.I. LUCAS:** The Minister for Industry, Trade and Tourism has provided the following information.

The Chief Executive of the Racing Industry Development Authority, Mr John Barrett, wrote to the ABC urging that body to continue the broadcast of a racing service until the narrowcast signals have been boosted to cover regional locations.

The ABC's response stated that its decision to cease the regional racing service, as from 30 June 1998, involved serious consideration of a number of factors. The broad and increasing range of alternative sources of racing information available in regional Australia through narrowcast licences, commercial and community radio, subscription and free-to-air television, as well as online services were major factors. In addition, the Australian Broadcasting Authority's Licence Area Planning process is proceeding; there are racing radio (TAB radio) services at many locations in regional Australia with the racing industry planning to extend these narrowcast services. Sky Channel is available in all TABs and participating licensed pubs and clubs around the country; and the sale of Sky Channel to the NSW TAB is likely to make it available in the home through subscription television in the near future.

On Friday 29 May 1998, the Minister for Industry, Trade and Tourism met with Mr Michael Mason, South Australian State Manager of the ABC, to discuss a number of issues in relation to his response to Mr Barrett. The Government does not accept the position of the ABC.

As a consequence of that meeting the Minister for Industry, Trade and Tourism will be writing to the Minister for Communications and the Arts, Senator the Hon. Richard Alston, and the Hon. John Bannon, Board Member of the ABC, requesting the ABC to continue the broadcasting of metropolitan races on Saturdays and public holidays.

#### POLICE FORCE

In reply to **Hon. IAN GILFILLAN** (28 May).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the Police of the following:

1. Has the practice of offering targeted separation packages in the SA Police Force finished?

There is no current targeted separation package program.

2. How many voluntary separation packages were accepted?  
65 Police Act employees accepted packages.

3. How many of these packages were accepted by senior commissioned officers?

Nine commissioned officers accepted packages.

4. How many packages were accepted by police officers who were already eligible for retirement?

46 police officers eligible for retirement (aged 50 and above) received packages. There is no compulsory retirement age for police officers.

5. How many of the positions vacated in this way were subsequently refilled?

All establishment positions affected by TVSPs have been deleted.

6. What has been the total monetary cost of this voluntary separation package campaign?

Total monetary value of TVSP payments since 1993-1994 to 1997-1998 is \$6 791 092.39.

#### SPEED CAMERAS

In reply to **Hon. J.F. STEFANI** (27 May).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the Police of the following information:

Speedings Category	Issued		Expired	
	Number	Amount	Number	Amount
Speed Camera	3 830	528 492	2 945	400 432
Non-Speed Camera	609	102 157	482	79 665
Total Speeding Offences	4 439	630 649	3 427	480 097

**The PRESIDENT:** The time for questions has expired. Before proceeding, I indicate that the question asked by the Hon. Mr Xenophon and the answer given to it reflected on an Order of the Day in the Notice Paper. That sort of question can be raised in the second reading or Committee stage of the relevant Bill. It was out of order for the honourable member to have asked that question.

### AERODROME FEES BILL

Adjourned debate on second reading.  
(Continued from 4 June. Page 864.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The Opposition supports the second reading. I have sought extensive information from about 12 of the industry-related organisations and I understand that this Bill is designed to enable aerodrome operators to recover fees for aircraft arrival, training approaches, parking and departing at an aerodrome. Following the discussions that my officers had with these many industry representatives, I appreciate the need for this legislation, given the difficulties in fee recovery.

Under the proposal contained in the legislation, the holder of the certificate of registration appears to be the only practical and cost effective option. This is not an insignificant problem, given that 25 per cent of user fees in regional aerodromes in South Australia were unpaid this financial year. Given that regulations enabling fee collections were repealed as part of the transfer of aerodrome ownership from the Commonwealth to councils, the legislation has become even more pressing. The situation, which is a national problem, is further compounded by the lack of a common policy by the States. It would be interesting to note the progression of this issue in other States, and the Minister might wish to comment on that.

The Adelaide International Airport made a few comments, which I will outline for the Minister's response. In its letter, the AIA suggested that 'aerodrome operators be enabled under legislation to place a lien on aircraft'. In addition, the ability to recover debt collection costs incurred under legal costs would be useful, as this expense is otherwise lost to the aerodrome owner. Has the Minister considered these matters and, if so, would she like to comment? We support the second reading.

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I thank the honourable member for her contribution to this Bill and for its consideration by the Labor Party. The Acting Whip (Hon. Angus Redford) has just confirmed that the Hon. Sandra Kanck does not wish to participate in this debate, not because she does not believe that the Bill has merit but because she has no concerns with it. She is concerned with other matters at the moment and I thank her for allowing this Bill to proceed, rather than holding it up because she has not spoken on the matter.

The Hon. Carolyn Pickles has asked questions which I can answer only by deferring consideration of the Bill at the moment or by providing responses at a later date, but certainly before debate on this Bill in the House of Assembly. I thank her for her cooperation in that regard because I do not have at my fingertips information about the recovery debt collection costs, about the ability of the legislation to place a lien on aircraft, or about interstate practice, although I know that that matter has been raised during consultation on the Bill. The honourable member will be provided with a reply tomorrow and before the Bill is debated further in the other place.

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

### ROAD TRAFFIC (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 27 May. Page 777.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The Opposition supports the second reading. The Bill proposes a number of legislative changes, all of which are supported by the Opposition. However, I do have an amendment in relation to one aspect of this Bill, which I will address later. The Minister's first amendment, which seeks to exempt police from complying with certain road rules when undertaking patrols on foot, pedal cycles and/or horseback, appears straightforward and sensible. Police patrols have had to change with our changing society, which is completely understandable.

The second amendment is also supported. I note that in 1981 Parliament did require the preparation and submission of an annual report on the effectiveness of random breath testing. I believe that at that time—and this is my recollection as I was not in Parliament then—there was a very public debate and that they required these measures to be reported annually because it was new and about to be tried for the first time. I believe that there is universal agreement as to the effectiveness of random breath testing—depending on which side of the law you are on. However, in supporting the amendment, I would feel more comfortable if the Minister could outline the alternative sources of public reports on this matter. I believe that public accountability should be maintained in whatever form and, whilst I agree with the amendment, I would like an assurance that information and the statistics that are being kept at the present time will continue to be kept and will be available to the Parliament and the public.

Thirdly, and finally, with respect to the other measure—that of giving way to buses—I have consulted the Public Transport Union and the Bus and Coach Association, both of which support the legislation. The Local Government Association, on the other hand, has expressed some concerns. It raises the issue of the onus of proof, and I agree that there could be a difficulty with this. Does the Minister have any advice in relation to how the suspected offence will be prosecuted? Perhaps she would like to comment on how one would proceed with a prosecution in relation to this aspect.

The Local Government Association also suggested that an extensive public education and awareness campaign is highly desirable, and I certainly agree with that. Will the Minister advise whether she will undertake such a campaign—and, if not, why not? I understand that the Minister also has some

information in relation to the number of accidents that have occurred in relation to buses and cars when there is a failure to give way to a bus, and perhaps she might like to table that in the Parliament, or discuss it in her response.

The amendment I have tabled requests that a review be undertaken and reports prepared 12 months after the commencement of this proposed measure. I believe that there is some anxiety in the community about the practicalities of giving way to buses, especially given its bad experience with school speed zones. A review of the effectiveness of the legislation would assure me and many of my colleagues of the impact of the proposed changes.

During the last week or so, the Minister gave me the courtesy of sending me, ahead of time, a further amendment tabled today—the one that refers to road closure for emergency use by aircraft. I thank the Minister for giving me time to put that before my Party room for discussion, which will allow this legislation to go through expeditiously and not be held up. My only question to the Minister is in relation to the procedures for closing the road. What particularly concerns me is the Minister's statement—she has not actually yet made it, but she has given me the courtesy of her response; but I would say that the Minister will say, unless she changes her mind—

**The Hon. Diana Laidlaw:** I had better say it!

**The Hon. CAROLYN PICKLES:** You had better say it—'The nature of an emergency may from time to time result in a failure to take precautions against every possibility.' Will the Minister outline the standard procedures which enable a road closure, and how is the community to be advised? With those few questions, I support the second reading.

**The Hon. A.J. REDFORD:** I support the second reading. The initial draft of the Bill has a number of objectives that fall into three categories, and it is those with which I wish to deal. First, it provides for exemptions from compliance with road rules for police undertaking patrols on foot, pedal cycles and/or horseback. Secondly, it repeals section 47DA, which requires the Commissioner of Police to provide an annual report relating to breath testing stations. Thirdly, it provides that certain vehicles must give way to buses pulling out from the edge of the road in certain circumstances.

In relation to the exemptions provision for foot, pedal cycles and horseback patrols, it enables those patrols to be put on all-fours with the rights of police officers operating within police vehicles. I am absolutely delighted to be able to support this aspect of the legislation: it indicates that the Commissioner has increased the use of foot, pushbike and horseback patrols. It has long been my view that that is an essential element of community policing, and it is an essential element of bringing police closer to the community for which they are responsible.

I well recall raising issues which were raised with me by a former Supreme Court judge concerning the lack of bicycle patrols along the beachfront and The Esplanade at Glenelg, and I know that the previous Commissioner (whether it be him or the department) resisted quite strongly suggestions made by the former Supreme Court judge—and, indeed, by me and other members of Parliament—about the necessity, the desire and the importance of establishing patrols on pushbikes at Glenelg, particularly during the summer months. I am delighted that the new Commissioner has responded to those requests far more positively, and I am sure we will see the ambience of the beachfront, particularly at Glenelg, improve as a consequence of his enlightened decision.

The second issue that this legislation deals with is section 47DA(5), which provides:

The Minister must cause a report to be prepared within six months after the end of each calendar year on the operation and effectiveness of this section and related sections during that calendar year.

Subsection (6) refers to the requirement of that report being tabled before each House of Parliament. Section 47DA relates to breath testing stations and the entitlement of police to establish random breath testing stations and their right to ask motorists to pull over and randomly submit to breath analysis tests, notwithstanding the fact that the people in those motor vehicles may not have broken any law or given any indication that they may have broken the law.

I recall the community debate when this legislation was first introduced, and many of the comments made by the Hon. Martin Cameron in relation to it. I also recall that in some cases there was a degree of opposition to the introduction of random breath tests, particularly in some parts of country South Australia. I accept the explanation of the Minister in her second reading explanation that at the time of its insertion, because random breath tests were seen as controversial, this clause was to obviate the fears of certain sections of the community. I also note that the Minister has acknowledged that random breath tests have played an important part in the reduction of drink driving since they were first introduced in the early 1980s.

I do express some concern about the removal of section 47DA. I understand the need for ensuring an efficient bureaucracy and am mindful of the fact that Parliament should always be vigilant in not imposing upon the public sector (and, as part of that, the police) more onerous tasks than is absolutely necessary. However, it is my view that random breath tests, notwithstanding the fact that they may well have been a controversial measure at the time of their introduction, must continue to be monitored and their effectiveness in the reduction of drink driving (and ultimately in motor vehicle accidents) should continue to be monitored, and monitored effectively. We are all well aware of the increasing road toll, and all well aware of the enormous gains made in the reduction of the road toll until this year.

I am sure that every member of this place is aware of and concerned at the enormous increase in road deaths this calendar year. It is my view that all of us, as members of Parliament, need timely information in order to make appropriate decisions in dealing with that road toll. Indeed, that fact was recognised when the Minister for Transport and Urban Planning introduced a motion to establish a joint committee to inquire into and report upon all matters relating to transport safety in this State, and I congratulate her on that initiative. However, it is important that any joint committee, any Minister, any member of Parliament or any other person who has a responsibility in relation to the road toll and the road safety of our citizens have full and timely information. There is a strong argument for reports of this type to be made available in relation to other areas. In that regard I specifically refer to the issue of speed cameras, to which I will return shortly.

The Minister has indicated that there are other options for obtaining information, and she refers to the Police Complaints Authority, the courts and members of Parliament. I must say that, whilst each of those is effective in its own way for its own unique purposes, the information that those bodies receive is to a large extent *ad hoc* and in my view lacks any basis upon which a broad policy decision could be made on

the effectiveness of our road traffic laws. The Minister has indicated that this sort of material can be covered in the Police Department's annual report, which is to some extent a fair comment, but I have three concerns about that. First, the police are required to report annually on a financial year basis, whereas the police requirement under this clause is to report each calendar year. It could be said that that might lead to a six month gap. I would be delighted if the Minister could assure me that the next police annual report will cover either the six month gap or the period of 18 months.

My second concern is that with the deletion of this section the requirement to report on the operation of random breath testing is entirely voluntary, although I would be very surprised if the Commissioner of Police omitted this sort of information from the annual report; if he did so, this Parliament might revisit the issue in future. My third concern is that, by presenting it within the Police Department's annual report, this important information may be overshadowed by more headline-grabbing information contained in the report. As I stated earlier, reporting by the police in relation to some of their activities in detecting road traffic offences ought to be extended, and I note the Hon. Terry Cameron's concern about speed cameras, how they are used and what effect they have on the community.

I suggest to the Minister that there be some form of reporting to this Parliament about the use of speed cameras, their effectiveness and what considerations are brought to mind in determining when, where and how often they are used. There are concerns within the community, which have been expressed to me quite strongly in rural South Australia, that speed cameras are merely for revenue raising. I must say that all the assurances I can give as a member of Parliament and as a politician do not seem to allay those community concerns. If we are to underpin the effectiveness of speed cameras, it is important that as a Government we continue to sell the message that these are a road safety measure and not a revenue raising measure. Every step in that process ought to be taken with that in mind.

I draw members' attention to a copy of a paper I recently received, entitled 'The long-term effects of random breath testing in four Australian States: A time series analysis.' This was prepared by Mr Henstridge of Data Analysis Australia in conjunction with the School of Justice Administration at Griffith University. It is an interesting paper that looks at the statistical data on accidents and police enforcement in four Australian States, namely, New South Wales, Queensland, Western Australia and Tasmania. It does not merely look at the sort of statistical evidence that might be available under section 47DA of the Road Traffic Act. Section 47DA merely refers to the number of random breath test stations and their effectiveness, whereas this paper looks at accidents and their statistical relationship to the use of random breath testing. The report states, and with a great deal of support contained within it, the following:

... there are few studies that use rigorous time series methods to assess the impact of RBT and other legal interventions on accidents, especially controlling for economic factors such as unemployment rates that are known to have a marked impact on road usage and accidents.

In summary, the authors are saying that in order to properly analyse the effectiveness of random breath testing we need to know more than simply the information that is set out in section 47DA, that we need to know accident rates and relate those accident rates to the use of random breath test devices.

The report is very interesting because it breaks down the effect of random breath tests into three categories. It refers to the introduction effect, the program effect and the effect of changes in ongoing enforcement levels. We are all well aware that upon the introduction of random breath tests there was an immediate reduction in the number of drink drivers. However, as people become immune to the publicity and the risk of being detected their habits change slightly and they revert to driving whilst affected by alcohol and it might be said that the initial impact of random breath testing fades. It was with that in mind that this report acknowledged police practices and looked at various programs that have been adopted by the police following its initial introduction and the effects of changing and ongoing enforcement levels in relation to that.

The interesting point that the authors of this report make in relation to the effects of ongoing RBT enforcement, which is basically where we are today, is as follows:

The reality of constant decay in the deterrent effect of RBT and the need to remedy this with continued high levels of visible and unpredictable enforcement highlights the importance of setting appropriate or optimal levels of testing.

If random breath tests are to have a deterrent effect—and that is, I hope, the most important effect—then it is important that there be high levels, that they be visible and unpredictable and, finally, that everybody in the South Australian community knows about their existence. It is no good thinking that these devices will have a deterrent effect if people think that they are not likely to be subjected to any form of random breath testing. The practice of the police ringing the city to ensure that there are no escape routes has been quite valuable in the reduction of people drinking and driving.

I will read into the *Hansard* the recommendations made in this report because I think they are important, and I hope that at some stage the Commissioner of Police, in conjunction with the Ministers to whom he is responsible, will address them. I also hope that one can look at this paper in the context of the effectiveness of random breath testing not only in the four States that it covered but also in the State of South Australia. The recommendations are:

1. All States should increase highly visible RBT to a level equivalent to one test per licence holder per year. This could be accomplished in a cost-effective manner by using general duties police and highway patrol vehicles and possibly also booze buses and by utilising the management techniques embodied in the random Road Watch program.

It is my experience that the Commissioner in conjunction with the Government has followed the sentiments contained in that recommendation, and whether he adopted that recommendation or came to that conclusion independently is academic. The next recommendation is:

2. A cost benefit analysis should be conducted comparing the merits of the Victorian booze bus strategy with a New South Wales strategy of relying on general duties and traffic police operating from standard police vehicles.

I think that South Australia ought to have a look at any such cost benefit analysis because it is clear that the Victorian booze bus strategy is somewhat different from the New South Wales strategy, and it might be that we can adopt one or the other or both at the same time in order to prevent the sort of increase in the road toll that we are currently experiencing. The next recommendation is:

3. Police in all States as a matter of urgency should improve the accuracy and comprehensiveness of their enforcement data so that



detailed analyses can be conducted on daily data broken down by mode of enforcement, location of testing and time of day.

Whilst it might appear on the face of it that the removal of section 47DA(5) might be counter to what is suggested in this recommendation I am supporting the Bill on the basis of private indications to me that the nature of the data will be made public and that the police will look at the type of data above and beyond that which is provided under section 47DA(5). The final recommendation is:

4. The methods used in this study should be applied to each of the time series augmented by an additional five years of data. This would be particularly important for Queensland and Western Australia for which in the present study it was not possible to include the introduction and enforcement components of the model. In this way, the long-term impacts of RBT in each State, especially in the light of recent variations in enforcement levels, could be better understood.

Whilst that is peculiar to Queensland and Western Australia, I think it does highlight the need for innovative and changing practices in the use of random breath tests and the fact that data in relation to those practices is absolutely vital for policy makers. That is particularly so when one looks at the increasing road toll.

I turn now to buses. I have some small concerns—and the Leader of the Opposition expressed some of them—in relation to the onus of proof. I am concerned about the South Australian practice—and on many occasions that practice has been adopted by bus drivers—of drivers using their indicators to show people where they have been rather than to indicate where they are about to go. Time and again I see vehicles move from one lane to another and, after they have moved, they politely put their indicator on as if to think that their car is invisible and that we will not see their car until such time as they put their indicator on.

**The Hon. P. Holloway:** Better late than never!

**The Hon. A.J. REDFORD:** Unfortunately that seems to be the norm in relation to the way in which South Australian motor vehicles change lanes. I have some sympathy with some people who do not indicate until the last minute. When I come in from Gilberton, if I put my indicator on to say that I am going to change lanes, there is an immediate speed-up, an immediate closing of ranks, to ensure that it is almost impossible to move into a lane.

**The Hon. T.G. Roberts:** Have you got a personalised number plate?

**The Hon. A.J. REDFORD:** The Hon. Terry Roberts walks on water. He asks whether I have a personalised number plate, and my answer is 'No.' I live in a city area where a lot of people would not know me personally. If he has had the same experience in Millicent where everybody knows him he has my sympathy and, to a very small extent, my understanding.

If the South Australian practice continues of trying to edge out people because they indicate they are moving lanes I can see a lot of accidents and prosecutions occurring. One matter that has led to this legislative change is the fact that South Australians—and I hate to say it—are some of the most discourteous drivers on Australian metropolitan roads and in many western countries. I know that once you get used to where you are going in Sydney and Melbourne and you understand which road you need to turn off and on it is much easier to drive in Sydney and Melbourne because, if you put your indicator on, it is an indication to the traffic to allow some space for you to move into.

That is my concern about this provision. I can well understand the temptation on the part of a bus driver, in the context of the South Australian attitude, to indicate at the last minute in order to avoid vehicles closing up, and that might cause some prosecutorial problems. I hope that if there is some money in the budget to educate people about giving way to buses we might seriously consider educating them, as a matter of courtesy, to give way not only to buses but to all other vehicles on busy roads. I hope that—and I know that this is perhaps a forlorn hope—through some Government action we might be able to change some of the actions of our drivers on our roads, as well as this attitude of, 'I will not let that person in, come hell or high water.'

My only other concern is that in the past 12 months I have noticed an enormous number of buses in King William Street, particularly opposite Festival Theatre. They are all parked very close to one another and, in many cases, within inches of each other. I hope that the drivers of those buses are aware that, because of the way in which they are parked together, the indications they make are sometimes difficult to see. So, we need not only a public education program but also some understanding from bus drivers that cars cannot stop on sixpence and that often drivers of cars do not see indicators until they are flashed at least two or three times. I commend the Bill.

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I thank members for their contributions. Before responding specifically to the issues that have been raised, at this stage I would like to put in context the amendments that I intend to move. These amendments relate to aircraft responding to an emergency. Aircraft often need to land in remote areas of the State to provide medical help for road and other accident victims, or to provide other assistance such as may occur in situations of extensive flooding. The Royal Flying Doctor Service provides critical services in remote areas for road accident victims and residents of the area. A quick response time is very important in remote areas.

The Stuart and Eyre Highways are main tourist routes. Trip distances are frequently very long, increasing the risk of fatigue related accidents. In addition, the high speed of traffic, together with the high proportion of heavy vehicles, raises the likelihood of accidents involving personal injury. In the four years to 1994, a total of 169 motor accidents occurred in areas to be serviced by the airstrips, with almost 50 per cent involving injury and many requiring urgent medical treatment.

The Trauma Systems Committee for South Australia has expressed concern regarding the provision of medical services in remote parts of South Australia. Existing airstrips in remote areas are widely spaced. Some of them are unsealed and do not provide all-weather access. There is a need for a greater number of all-weather airstrips in remote areas of South Australia, as highlighted by a major bus crash near Coober Pedy in 1993. More airstrips in remote areas of South Australia will reduce the costs associated with accidents by providing a quicker, more efficient medical service. An 'on road' all weather emergency airstrip can be constructed utilising the existing road pavement at the relatively low cost of \$250 000 by increasing pavement width by three metres and ensuring adequate additional clearance.

Maintenance can be part of existing road maintenance at minimal additional cost. An airstrip that is not 'on road' would need to be constructed on a pastoral lease and would

involve much greater impact on vegetation. The estimated cost of an all-weather airstrip is \$1 million, with maintenance costs being greater and requiring separate funding.

Three 'on road' emergency airstrips on the Stuart Highway and two 'on road' emergency airstrips on the Eyre Highway are to be constructed. Construction costs of \$1.285 million for the five airstrips will be paid from Federal Government road funds.

The location and spacing of the airstrips has been selected to provide adequate coverage for the entire length of the highways, whilst maximising the use of existing resources and minimising impact on surrounding vegetation. The first airstrip on the Stuart Highway south of Coober Pedy should be completed this month—which must be in one hour's time in terms of the ordinary working week—at a cost of \$250 000. Further airstrips will be constructed in future years as funding becomes available.

This amendment to the Road Traffic Act 1961 is to clarify the legal position of aircraft using these 'on road' airstrips. It provides that police may close roads in emergencies to allow use by aircraft and clarifies that an aircraft is not a vehicle and may use roads in situations of emergency. For reasons of public safety, a road must be closed before an aircraft lands. Police must have adequate powers to control and proper warning must be given to road users. It is anticipated that this power will be principally used for the Royal Flying Doctor Service, but it may also be used for any aircraft, including various types of aircraft such as helicopters, responding to an emergency that has been authorised to use the road. Other roads are capable of being used by aircraft responding to an emergency, and provision should be made to allow aircraft to use such roads when they are closed by and under the direction of police. It is anticipated that landings on roads that are not 'on road airstrips' will be only in exceptional circumstances.

Neither the Crown nor any officer of the Crown who facilitates the use of a closed road by an aircraft should face any civil liability that may arise through the use of a closed road by an aircraft. Aircraft currently use roads in emergency situations, and this proposal seeks to increase the safety of such use through allowing the road to be closed.

While every care will be taken when closing a road in relation to issues of safety, the nature of an emergency may, from time to time, result in a failure to take precautions against every possibility. The proposed amendment will nonetheless ensure a safer environment than would occur otherwise.

I will move these amendments on an understanding from both the Labor Party and the Australian Democrats that by moving quickly to address these issues before the Parliament the quicker the Royal Flying Doctor will be able to make use of the first facility that is being constructed.

It would have taken us much longer to go through the normal process of introducing Bills and taking them through both Houses. While I would certainly have been prepared to undertake that approach, having just very recently been alerted to the need to take this action, I thank all members for accommodating these amendments in the Road Traffic (Miscellaneous) Bill that is currently before this place.

The Hon. Sandra Kanck has indicated that she supports the Bill without wishing to speak to it. The Hon. Carolyn Pickles talked about representations from the LGA and the onus of proof.

The police, in terms of giving way to buses, will work within the ambit of the Road Traffic Act, as they do with any

other road traffic law for which they are responsible for policing in this State. The onus of proof is on the police to note what they observe and at what time, and that matter would then be taken through to the courts. That is my understanding of the role of the police in dealing with this issue. If it is any different, I will certainly provide a further response.

In terms of the public education campaign, I give an undertaking that there will need to be, and there will be, such a campaign, and funding will be provided for that purpose from both the Transport SA budget and the Passenger Transport Board. We want to develop a greater sense of courtesy and education rather than enforcement and penalty to ensure that this legislation works. However, when it is necessary to do so we would like the police to have the power to enforce, but that is not essentially the focus for this: it is legislation for education purposes. There will be a budget to accompany the introduction of the legislation before it is enforced. I seek leave to have included in *Hansard* without my reading it a summary of the numbers of collisions involving a TransAdelaide bus pulling away from a bus stop. I do not have the figures for Serco or Hills Transit vehicles.

**The PRESIDENT:** Is it purely statistical?

**The Hon. DIANA LAIDLAW:** Yes.

Leave granted.

TransAdelaide has reported the following numbers of collisions involving a bus pulling away from a bus stop.

Year	1992-3	1993-4	1994-5	1995-6*	1996-7**	1997-8
collisions	16	22	20	13	23	20

\* TransAdelaide bus numbers reduced on 13.1.96 by approximately 100 as Eliz. depot contract lost. Resulted in reduced accidents.

\*\* TransAdelaide bus numbers reduced on 12.1.97 by approximately 28 as inner northern depot contract lost. There was no reduction in number of accidents.

**The Hon. DIANA LAIDLAW:** I also advise that my office has made inquiries of the Road Transport Authority in New South Wales and Vic Roads, and both these agencies have advised that the 'give way to bus' provision was introduced in New South Wales and Victoria in approximately late 1978 or early 1979—some 20 years ago. No significant road safety issues have arisen from the change, according to both agencies. Although there has been no research on the effectiveness of the revision, it is the view of these agencies that it has been of great benefit to bus operators. It was that point of view which was raised in terms of the introduction of national road rules, and this is certainly part of that exercise.

The Hon. Carolyn Pickles also asked for information about the procedures for closing a road in terms of an aircraft's landing in an emergency situation. It is my understanding that the police must give authority. Authority may be given over the telephone and the barriers can be set up to close the road for public use. As I indicated in my second reading explanation, for reasons of public safety, a road must be closed before an aircraft lands, and the police must have adequate powers of control and proper warning must be given to road users. The warning would be the actual physical barriers across the road. I believe that, in extraordinary circumstances, it may be a person flashing a light or beacon in order to slow down and close off traffic, but generally it would involve the barriers to which we are accustomed in such circumstances, and that would be fairly critical.

In such circumstances, just as Transport SA has little stone huts on the Mount Barker Road where it keeps a whole lot of equipment in case there are breakdowns on the road or for road maintenance purposes—members may have seen them

erected on the Mount Barker Road from time to time—I believe that at each of these airstrips that has been constructed with Federal funds we will have all the equipment needed to close the road—the barriers, beacons and lights, if necessary—to guide the plane in an emergency. It is not a matter of not having equipment on hand; rather, it is a matter of actually getting the authority from the police, and we believe that will be done via the police officer on hand or by telephoned authority, for instance, from Adelaide.

The Hon. Angus Redford referred to the bike patrols. The current Police Commissioner is certainly much more enthusiastic about community policing and the use of bicycles, horses and even foot patrols for that purpose. Having come from Victoria, the Police Commissioner is well aware of the great success of bicycle patrols in the city and St Kilda. I see little difference between St Kilda and Glenelg in terms of community policing options, and I, too, hope there will be more police on bicycles in the Glenelg area during the summer period.

Random breath tests have played a most important part in helping to bring down the road toll since the 1980s, and they continue to be an invaluable tool in road safety in South Australia. During 1996-97 the South Australian Police more than doubled random breath tests in the metropolitan area, and increased them from 81 500 to 186 000 in rural areas. It is our intention in the coming financial year starting tomorrow that these increased levels of activity will be sustained.

One of the reasons we will be able to sustain the increased number of random breath tests both in the city and in rural areas, and to have increased anti-speeding activities especially in rural areas, is that the Transport budget for road safety activities is doubling from \$7.7 million to \$14.7 million the expenditure provided for police for these purposes. So in fact, there will be an increased focus. Any suggestion that we are removing the requirement for an annual report about random breath tests and that this would be downplaying the focus of both the Government and the police on random breath testing for drink driving would be unsound. In fact, we are increasing that effort. I also highlight that the Police Commissioner has undertaken to report on these matters in more detail in his annual report to the Parliament in the future.

Members may also be interested to know that the Motor Accident Commission, as part of its \$6 million sponsorship contribution between 1998 and 2000 to fund anti drink driving and speeding campaigns, requires that there be an evaluation of those public education campaigns. That will be useful to the Parliament and the public when considering these issues.

In summing up very briefly, as to speed cameras and the Hon. Angus Redford's wish to see a report on their use and concerns that they are regarded as revenue raising, it is interesting to see the debate about the extension of demerit points for speed camera offences and the loathing of many people to see that the Government may well move on this matter in the near future as part of the national road safety strategy. If we ever wanted to suggest to the community that speed cameras and their use and deployment is not a revenue raising exercise, we would certainly seek to enforce the penalties through demerit points, but somehow this seems to be a big issue. Indeed, it is an issue which already applies in other States, because they have found that the paying of fines is not a deterrent for many people who habitually speed. They find it quite easy to pay off a fine, but the loss of demerit points is a real deterrent. If it is the deterrent effect that the Hon. Angus Redford is looking at, I suppose I can count on

his support when such legislation comes to this place either late this year or early next year as part of the national road safety package.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2.

**The Hon. DIANA LAIDLAW:** I move:

Page 1, line 13—Delete all words in this line and insert:

2. (1) Subject to subsection (2), this Act comes into operation on the date on which it is assented to by the Governor.

(2) Sections 3, 4, 5 and 6 will come into operation on a day to be fixed by proclamation.

Clause 2 of the Bill is the commencement clause which provides for the commencement of the Bill on a day to be fixed by proclamation. This amendment provides that the Bill will commence on assent by the Governor, except for clauses 3 and 6, which will commence on a day to be fixed by proclamation. The effect is to bring the emergency airfield amendment in clause 2a into operation on assent while delaying the operation of the remainder of the Bill until it is proclaimed.

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

Amendment carried; clause as amended passed.

New clause 2a.

**The Hon. DIANA LAIDLAW:** I move:

Insertion of heading and s.34

2a. The following heading and section are inserted after section 33 of the principal Act:

Road closing for emergency use by aircraft

34.(1) A prescribed member of the Police Force may close a road to enable an aircraft to use the road in response to an emergency.

(2) For the purpose of closing a road and enabling its use by an aircraft under this section, a prescribed member of the Police Force (or a member acting under his or her direction) may—

- (a) erect signs and establish barriers; and
  - (b) give such reasonable directions to—
    - (i) the driver of a vehicle on a road; or
    - (ii) the owner or person apparently in charge of or with care and custody of a vehicle on a road; or
    - (iii) a person who appears to have left a vehicle standing on a road (whether or not the vehicle is attended by another person); or
    - (iv) a pedestrian; or
    - (v) the pilot of the aircraft,
- as are, in the opinion of the member giving the directions, necessary for the safe use of the road by the aircraft or the safety of other road users.

(3) A member of the Police Force must, in exercising a power conferred by this section, comply with such procedures and requirements as may be stipulated by the Minister by notice in writing to the Commissioner of Police.

(4) A person to whom a direction of a member of the Police Force is given under this section must forthwith comply with it.

(5) Where a direction is given under subsection (2)(b) to a person who appears—

- (a) to have charge, care or custody of a vehicle on a road; or
- (b) to have left a vehicle standing on a road,

that person is not guilty of an offence against this Act of failing to comply with the direction if it is proved that he or she did not have charge, care or custody of the vehicle and did not leave the vehicle standing on the road.

(6) If action is taken under this section by a member of the Police Force to close a road or enable an aircraft to use a road—

- (a) nothing in this Act is to be taken to prevent the use of the road by the aircraft; and

(b) the aircraft is not to be taken to be a vehicle for the purposes of this Act; and

(c) no liability will be incurred by the member of the Police Force or the Crown in respect of injury, damage or loss arising out of the use of the road by the aircraft.

(7) The powers conferred by this section are in addition to and do not derogate from any other power conferred by this or any other Act.

(8) A road closed for the purposes of enabling an aircraft to use it in response to an emergency must be re-opened for ordinary traffic as soon as practicable after the road is no longer required for that purpose.

(9) In this section—

'prescribed member of the Police Force' means a member of the Police Force who is—

(a) in charge of a police station; or

(b) of the rank of inspector or above;

'road' includes a road closed under this section and part of a road.

The new clause inserts new section 34 in the principal Act. The new section empowers certain members of the Police Force (those in charge of a police station or of the rank of inspector or above) to close a road to enable an aircraft to use the road to respond to an emergency. For that purpose those members of the Police Force (or other police under their direction) can erect signs or establish barriers. They can also give such reasonable directions to drivers, pedestrians and so on as are, in their opinion, necessary for the safe use of the road by the aircraft or for the safety of other road users. They can give directions for those purposes to the pilot of the aircraft as well.

In exercising powers conferred by this section, members of the Police Force are required to comply with such procedures and requirements as may be stipulated by the Minister by notice in writing to the Commissioner of Police. It is an offence not to comply with the direction of a member of the Police Force given under this section. However, if the directions given by a person who appears to have charge, care and custody of a vehicle or to have left a vehicle standing on the road that person is not guilty of an offence of failing to comply with the direction if it is proved that he or she did not have charge, care or custody of the vehicle and did not leave the vehicle standing on the road. If action is taken by the police under this section to close a road to enable an aircraft to use a road, nothing in the principal Act is to be taken to prevent the use of the road by the aircraft and the aircraft is not to be taken to be a vehicle for the purposes of the principal Act.

In addition, no liabilities are incurred by members of the Police Force or the Crown in respect of injury, damage or loss arising out of the use of the closed road by the aircraft. The powers conferred by this section are in addition to and do not derogate from any other powers of the police. A road closed under this section for the purpose of enabling an aircraft to respond to an emergency is required to be re-opened as soon as practicable after the road is no longer required for that purpose.

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

New clause inserted.

Clauses 3 to 5 passed.

Clause 6.

**The Hon. CAROLYN PICKLES:** I move:

Page 2, after line 29—Insert:

(4) The Minister must—

(a) cause a review of the operation of this section to be undertaken as soon as possible after 12 months have elapsed from the commencement of this section; and

(b) cause a report on the outcome of the review to be tabled in each House of Parliament within six months after the end of the period referred to in paragraph (a).

This amendment will cause a review to take place after 12 months have elapsed from the commencement of this section and cause a report to be tabled in Parliament. As I indicated in my second reading speech, there has been some public disquiet about this. The Hon. Angus Redford raised the issue about the fact that he had observed buses using their indicators as some kind of an afterthought, although I do not think that is just confined to bus drivers. I think generally in South Australia—and I agree with his comments—we have a very poor standard of behaviour on the roads in relation to switching lanes or pulling out from a kerb, and it is almost as if the indicator is something that one uses when one has completed the procedure rather than beginning the procedure. I hope that this report will give an indication to those people who are concerned about this measure and will allow it to be reviewed if it is proving a difficulty.

**The Hon. DIANA LAIDLAW:** I support the amendment and I accept that this new initiative will cause some difficulty for some motorists. I am particularly interested to see that we deal with some of the occupational, health and safety issues that bus drivers encounter on a daily basis on the roads. Overall I am certainly keen to encourage greater courtesy on the roads. We have a 'Share the Road Campaign' at the moment between motorists and cyclists. This Bill addresses cyclists, motorists and bus drivers. I think it is for community interest overall that we seek to promote public transport as a reliable form of access for people to meet appointments and the like, and certainly as timetables tighten and people demand quicker, more frequent services, measures such as this that the Parliament is debating will be an asset to the operation of public transport, buses in particular, in this State. While the same provisions have been operating for some 20 years in Victoria and New South Wales, and I understand also Queensland, in this instance I am more than happy to have a report undertaken of this matter over the first year of operation and within six months after receipt of that report bring it back to the Parliament.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

#### IRRIGATION (DISSOLUTION OF TRUSTS) AMENDMENT BILL

In Committee.

(Continued from 4 June. Page 866.)

Clause 1 passed.

Remaining clauses (2 to 6), schedule and title passed.

Bill read a third time and passed.

#### ADJOURNMENT

At 4.37 p.m. the Council adjourned until Wednesday 1 July at 2.15 p.m.