

## LEGISLATIVE COUNCIL

Tuesday 7 July 1998

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

### QUESTIONS ON NOTICE

The **PRESIDENT**: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 49, 146 and 164.

#### SOUTHERN EXPRESSWAY

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

1. Why is there provision for a dedicated public transport lane in the design of Stage 1 of the Southern Expressway, while none has been provided for in Stage 2?

2. Considering the importance of public transport to the southern suburbs, will the Minister ensure Maunsells, the engineers contracted to build Stage 2 of the Southern Expressway, are required to include a dedicated public transport lane?

**The Hon. DIANA LAIDLAW**:

1. Stage 1 of the Southern Expressway from Darlington to Reynella comprises a carriageway of three travelling lanes and emergency stopping lanes/shoulders either side. Bus priority lanes have been provided at the expressway connections to South Road. However, there are no other specific provisions for public transport, with all three lanes being available to all traffic.

The Stage 1 corridor is sufficiently wide at most locations to provide for a range of future requirements.

For Stage 2 there are constraints on the availability of land, with much of the corridor having been acquired over a number of years and adjacent land developed for residential use. The corridor width again provides for a range of choices to match future anticipated requirements.

2. The importance of public transport to the southern suburbs is acknowledged and will be adequately met both now and in the future by the current proposal. There is no justification to include a second public transport facility.

It should be noted that Maunsells have been engaged to provide project management for Stage 2 and have not been contracted to build Stage 2 of the Southern Expressway.

#### ROAD TRAINS

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

1. What are the details of the accreditation system, as well as the safety precautions, that will permit A-double road trains to travel along Grand Junction Road, Causeway Road and Victoria Road from 1 March 1998?

2. How many trucks have been involved in accidents at the Rosewater rail crossing in the past five years?

3. What emergency procedures are currently in place in case of major accidents or spills from A-Double road trains using the Grand Junction Road, Causeway Road and Victoria Road route?

4. Does the Minister consider these to be adequate?

**The Hon. DIANA LAIDLAW**:

1. From 1 March 1998, each vehicle making up a double road train combination and travelling from Lochiel into Adelaide, has been required to be accredited by Transport SA.

Accreditation requires transport operators to establish maintenance management systems that are recognised by Transport SA as meeting the requirements of the maintenance management module, including audit requirements, of the National Heavy Vehicle Accreditation Scheme (HVAS). This scheme was developed by the National Road Transport Commission (NRTC) and approved by the Ministerial Council for Road Transport (MCRT).

Accredited operators are required to display on each vehicle a label issued by the scheme under which each vehicle is accredited.

Accreditation schemes operated by other jurisdictions and industry groups may be acceptable subject to meeting HVAS requirements. Accreditation schemes currently recognised by Transport SA are:

- Road Transport Forum's Trucksafe.
- SA Roadworthiness Accreditation Scheme.

- NSW Heavy Vehicle Accreditation Scheme.

The operation of double road trains into northern Adelaide is being continually monitored by Transport SA with regard to the impact on safety, the economy and the environment.

An amended *Gazette* notice will provide that from 1 July 1998, all road trains travelling south of Port Augusta to Adelaide must operate under a system of accreditation. The conditions of exemption defined in the Notice are designed to manage the safe operation of road trains along the designated route.

To further improve road safety, from 1 September 1998, all drivers of road trains operating between Port Augusta and Adelaide will be required to undergo medical checks to certify their fitness to drive.

2. Information obtained from Transport SA and the Police indicates that there is a record of one truck being involved in an accident at the Rosewater rail crossing since 1 January 1993. This data is current to 28 February 1998.

3. and 4. The usual emergency procedures will be undertaken by the Fire Services, Police, Ambulance and any other agencies as and if required (e.g., SES).

Specifically in relation to a chemical incident, in July 1997, Cabinet endorsed the emergency response procedures to a leakage or spillage of hazardous material during transport, storage or handling. These procedures are directed at all agencies that may be able to assist the fire services with equipment or specialist knowledge of chemicals.

#### ROAD SAFETY TRAINING CENTRE

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

1. Is the Government planning to close the Road Safety Training Centre at Oaklands Park?

2. If so, when is this likely to occur?

**The Hon. DIANA LAIDLAW**: No plans have been developed to close the centre. The outsourcing of the Rider Safe motorcycle training program will prompt consideration about the future use of the Oaklands Park site.

## QUESTION TIME

#### BAROSSA MUSIC FESTIVAL

**The Hon. CAROLYN PICKLES**: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the Barossa Music Festival.

Leave granted.

**The Hon. CAROLYN PICKLES**: An article in today's *Advertiser* states:

A fresh row has erupted in the South Australian arts community over fears the State Government is trying to take control of the Barossa Music Festival.

The Barossa Music Festival founder, Mr John Russell, stated that South Australia is in danger of losing its leadership in the arts because of bureaucratic infighting. My questions to the Minister are:

1. Did the Minister write to Mr John Russell and offer to buy out the festival and give it to someone else to run and, if so, will she table a copy of the letter?

2. What was the brief for the review conducted by Ms Bronwyn Halliday and why was it commissioned?

3. Does the Minister support the recommendations of the review conducted by Ms Halliday which include making the festival a truncated biennial one, and will she table a copy of the report?

**The Hon. DIANA LAIDLAW**: I was most interested to read the article in today's newspaper and Mr Russell's accusation that he was having difficulty mounting the forthcoming festival on the basis of a review that Arts SA commissioned from Ms Halliday. The festival's difficulty—if there is such a difficulty, and that is not the advice that Mr

Russell provided to me as recently as last week in letter form—had more to do with its financial status.

I will declare an interest at this stage, because I have been a paid supporter of the Barossa Music Festival for some years and as a participant in the event, and I am very keen to see that the festival continues in the future, as would be all members in this place also.

Mr Russell's call for extra funding for the festival does not take into account the fact that this Government has doubled the funding for the Barossa Music Festival over a period that most members would recognise as being difficult financially for the Government. The grant from Arts SA, which was the same amount as the Labor Party paid when in government, was \$52 000. Last year we increased that to \$105 000, and we also responded to the festival's request that it be granted triennial funding status so that it could plan its program with more confidence in the future.

When we provided funds for the current financial year, it was to pay out the debts of the Barossa Music Festival which totalled \$105 000, although we have not received the full accounts and it may be higher. We forwarded the cheque so that creditors were not left out of pocket and so that the Barossa Music Festival could proceed to negotiate other contracts and the like, because it could not do so if it was insolvent.

At the same time, reasonably, Arts SA commissioned an independent assessment of how the festival could be made financially stable and therefore an ongoing, viable festival. It was a positive brief in the sense that it was to secure the financial stability of the festival so that it could be an ongoing event in terms of the arts calendar of South Australia.

That is something that the honourable member, as shadow Minister for the Arts, would want Arts SA and the Government to do, that is, see how we could help the organisation look at these matters because of the financial insecurity of the company. That report was forwarded to the board of the Barossa Music Festival, which did not necessarily like some of the recommendations, and it advised Arts SA of that. We have left the report on the table for future discussion on the understanding, confirmed in writing by Mr Russell last week, that with confirmation next week of some sponsorship arrangements the festival will proceed next October. We have not pursued the Bronwyn Halliday report on the basis that the festival is proceeding later this year, and the report is open for further discussion following the festival if that is necessary in terms of the management and financial base of the festival.

I strongly highlight the fact that the Government has doubled the festival's funding through Arts SA and that there is additional funding through Australian Major Events (AME) of another \$100 000. Miss Halliday's report offering an alternative management model is on the table for discussion but it is not being pursued at this time by Arts SA or by me with the Barossa Music Festival.

#### ELECTRICITY, PRIVATISATION

**The Hon. P. HOLLOWAY:** Given that the Treasurer announced last week that a base load 500 megawatt power station on Torrens Island would be part of the ETSA Optima sale process, my questions are:

1. Is he satisfied that sufficient reserves of gas are available to fuel this additional power station as well as existing gas fired generators on Torrens Island and, if so, on what basis does he form this view?

2. What upgrading of the gas supply system and power transmission system will be necessary to accommodate the new power station, and who will pay for this upgrading?

3. Given that the output of the new base load generator of 500 megawatts is significantly greater than the power supply shortfall expected at the time of its completion, will the output of the new power station displace power generated by Coal Co at Port Augusta or Gas Co at Torrens Island?

**The Hon. R.I. LUCAS:** In response to the first question, my advice from our eminent team of both in house and external experts is 'Yes.' The other point to be made is that, in relation to how the competitive market might operate, the honourable member ought to realise that perhaps if he did not have such a closed mind on this issue (at least publicly) and was prepared to look at the arguments about the national electricity market, he might realise that this issue of a new entrant will be an issue whether or not the Government packaged together this development opportunity as it has in terms of its Peak Co., as we have referred to it. So, the issue of a new entrant is an issue in the context of the national electricity market, anyway.

In the unlikely event of the Hon. Mr Holloway's being a Minister in a Labor Government and making decisions at this time, and should he, in that circumstance, still hold the same position as he says he now holds—that is, opposing the sale of ETSA and Optima—in those circumstances, one would confront a situation of private people with significant sums of money who are interested in developing on green field sites new gas powered generation capacity here in South Australia, anyway. Those people are prepared to put their money in (not taxpayers' money) and to take the punt on the national electricity market, and they will compete. There would be nothing that the Hon. Mr Holloway, as a Minister in a Labor Government (should he be there), would be able to do to prevent competition from a new entrant in the market. In relation to the second question, I will take some advice and bring back a reply.

#### REGIONAL INFRASTRUCTURE

**The Hon. T.G. ROBERTS:** I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Regional Development (the new Deputy Premier), a question about regional infrastructure.

Leave granted.

**The Hon. T.G. ROBERTS:** I have raised an issue in relation to the work camp that is being built in the South-East for workers in the vineyards to be housed in either temporarily or permanently, and in the South-East there is currently a dispute about that. There are two other disputes. One is at the meatworks in relation to employees trying to ascertain who their employers are to deal with restructuring within that industry. There is also a dispute pending—or a possible dispute—in the timber industry in relation to privatisation and restructuring at Nangwarry, with the possible loss of some 70 jobs, and there is this dispute at Lucindale or Naracoorte in relation to Villiers work camp. The Villiers dispute is the one about which I am asking for some support and assistance from the Government in relation to this question. In an article in the *Sunday Mail*—and I do not usually quote it as a source of accurate information but I do so in this case—a journalist who is not named says:

The rain is driven in horizontal sheets by the howling southerly whipping up across the BRL vineyards at Padthaway.

The article goes on to describe the circumstances in which people in the vineyards have to work. While they are working in the vineyards now, they have to return to the Villiers work camp. I congratulate the Minister for Transport on her quick reply to the problem in at least drawing the investment strategy of Villiers into the South Australian vineyards so quickly. That was done all within a week or 10 days of the question's being asked in Parliament.

**The Hon. A.J. Redford:** That is an example of a fact, not an opinion.

**The Hon. T.G. ROBERTS:** That is a congratulatory pat on the back to the Minister for replying so quickly. The forward planning for infrastructure in relation to the success of the wine industry in the South-East is causing a number of problems. Accommodation, either temporary or permanent, is becoming a problem for local government in that region. The Wattle Range council is having problems providing permanent accommodation in the Naracoorte region; the Naracoorte council is trying to grapple with the lack of private rental; and the temporary accommodation now required by the workers in the vineyards is not the temporary accommodation that is being provided at the moment by the Villiers group.

I am sure that, given time and investment, they will overcome these problems. Unfortunately, that is not the case at the moment. What support and assistance can the Government provide to local government and developers to ensure that appropriate infrastructure support, including housing, can be provided for long-term support for the wine industry in the South-East, given that it may not be directed into the private development of a work camp but could be looked at in terms of long-term, future requirements for the tourist industry by assisting local government with caravan parks and tourist centres?

**The Hon. K.T. GRIFFIN:** I will refer that question 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 Treasurer a question about electricity privatisation.

Leave granted.

*Members interjecting:*

**The Hon. L.H. DAVIS:** Sandra Kanck said 'Which one's the puppeteer?' but I am not sure who is pulling your strings.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. L.H. DAVIS:** I would not dare: I would not know where to find them. On the weekend I had a pleasant discussion with a friend who, apart from being a happy holder of Telstra shares, was remarking on how competition from Optus and other telecommunication companies had driven phone prices down and demonstrably improved the service and attitude of Telstra operators as distinct from what was the case a few years ago; and I am sure that members opposite could well remember that. This friend had spent some time in England recently and, while there, made some inquiries about the effects of privatisation on electricity prices in that country.

The anecdotal evidence that he had, without anything specific, was that under privatisation electricity prices had fallen significantly. This seemed to be at variance with the views of the Australian Democrats who, in their detailed 1 000 hours of research expose of electricity privatisation,

made only one reference to privatisation in the United Kingdom that I could find, and that related to a World Bank report which claimed that there had been \$4 billion in losses associated with electricity privatisation. Given this apparent conflict in information, my questions to the Treasurer are:

1. Is the Treasurer in a position to provide any information about what benefits have flowed from privatisation of the electricity industry in England?

2. Has he any information about whether or not the World Bank has issued a report that claims losses of \$4 billion flowing from privatisation of the power industry?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** For the benefit of members who are still contemplating the importance of this legislation, can I share some information with them. First, with respect to the honourable member's question in relation to price and price benefits, before I turn to this so-called World Bank report which the Deputy Leader of the Australian Democrats has been very widely quoting in support of her position, I want to refer members to some statements made by Mrs Yvonne Constance, the Chair of the British Electricity Consumers Committees for the 14 regional electricity distribution franchises. In this document, which is the Electricity Supply Newsletter No. 22, 29 June 1998, Mrs Constance is referred to as the 'leading British electricity consumer advocate', so she is speaking on behalf of the consumers. She is not someone speaking on behalf of the industry or the Government.

*The Hon. Sandra Kanck interjecting:*

**The Hon. R.I. LUCAS:** I understand that the Deputy Leader is a bit sensitive about facts getting in the way of this issue. I ask her, even though she has done 1 000 hours of research, to listen to the facts that I want to share—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** Yvonne Constance, OBE, Chair of the London Electricity Consumers Committee and Chair of the Committee of ECC for Britain's 14 regions, has told an international conference in Lisbon that residential customers have obtained a 30 per cent reduction in power bills in real inflation-adjusted terms since privatisation, and won a significant improvement in standards of service. Constance says residential customer complaints to the 14 ECCs, which are established under privatisation law and have a working relationship with the electricity regulator, more than halved between 1992-93 and 1996-97.

**The Hon. Sandra Kanck:** Lies, damn lies and statistics.

**The Hon. R.I. LUCAS:** Well, this is the leading consumer representative advocate on behalf of British consumers and the Deputy Leader is not even prepared to listen to this independent spokesperson for consumers in the United Kingdom. This is not a statement being made by the Government here or in the UK or by the industry. It is actually a statement by the leading consumer advocate. Constance says:

The 23 million residential customers and 3 million small business customers now being contestable in Britain stand to gain better prices if more competition is created in generation—

which is an interesting issue given the Deputy Leader's views on Optima—

which makes up 60 per cent of their cost.

There is considerably more information from Yvonne Constance speaking on behalf of UK consumers in relation

to price. I will not share all of that information today. I refer members again to a story—

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

**The Hon. R.I. LUCAS:** I will put a copy in the box. As for the number of members which, I am pleased to say, is growing—albeit still small—who are attending the briefing for Labor Caucus members at 12 o'clock tomorrow, we will certainly be able to share that information with those members.

**The Hon. L.H. Davis:** Carolyn will be there, of course.

**The Hon. R.I. LUCAS:** I am not sure whether the Leader of the Opposition would have the courage to attend. She is certainly welcome.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** A small number of Labor Caucus members are prepared to come, and I am pleased to see that.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. T. Crothers interjecting:*

**The Hon. R.I. LUCAS:** The Hon. Trevor Crothers is coming as well. There you are, the numbers are growing. I am delighted to hear that the Hon. Mr Crothers will now be joining this small but growing band of Labor members who will attend the briefing tomorrow.

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

**The Hon. R.I. LUCAS:** Certainly. I also refer those members—and I will be able to provide a copy tomorrow—to an article in the business section of this morning's *Australian* which looks at the costs for electricity in about 17 or 18 countries. I think this is over a more recent 12 month period, which again shows a reduction in the price of electricity in the United Kingdom (the source for that is NUS International).

I now move to the claims being made by the Deputy Leader of the Democrats. I want to refer to some publicity leaflets which, I note, have been produced at taxpayers' expense by the Democrats and which seek to support its view on the issue of the sale of ETSA and Optima. I notice that there has been criticism of the Government spending taxpayers' money to put one side of the story—the Government's side—and I am highlighting the fact that taxpayers have helped fund the Democrats to put the other side of the story, which is—'Why the Australian Democrats will vote to keep Optima Energy and ETSA. . . We won't sell South Australia short.' They make the claim, 'The Democrats want to keep ETSA because'—under 'Price'—'a World Bank study has shown that United Kingdom householders are up to \$4 billion worse off because of electricity privatisation.'

The Democrats claim in this taxpayer funded leaflet and in a number of other media interviews that the honourable member has been giving that a World Bank study has shown that United Kingdom householders are up to \$4 billion worse off because of electricity privatisation. I am sad to disappoint members and the Deputy Leader of the Australian Democrats when I indicate that that claim is 100 per cent wrong. In fact, this highly incorrect and misleading claim that has been made by the Deputy Leader of the Democrats came from a journal article which had been published by some academics, and that journal carries a clear disclaimer that 'the views expressed in that article are those of the authors and should not be attributed to the World Bank or any of its organisations'.

It is extraordinarily disappointing that the Deputy Leader of the Australian Democrats should be saying that. I have been running into people who have been saying, 'This World

Bank study that the Democrats have been talking about has said that people in the UK are worse off.' It was only when we were able to track down a copy of this study that we were able to ascertain that this statement was wrong and that the Deputy Leader—

**The Hon. A.J. Redford:** She didn't mislead the public, did she?

**The Hon. R.I. LUCAS:** Well, the Deputy Leader, I guess, will make it clear to the Parliament and the community how that came about.

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

**The Hon. R.I. LUCAS:** I am not going to make judgments. Certainly, in an earlier piece of material the Government produced there was an error and, on behalf of the Government, I was prepared to openly and honestly say that there had been an error. The Democrats have made great play of that by issuing public statements and attacking the Government for misleading advertising, and so on, on television, radio and in print.

**The Hon. Sandra Kanck:** I did not misquote the report.

**The Hon. R.I. LUCAS:** I remind the Deputy Leader of the Democrats that:

A World Bank study has shown UK householders are up to \$4 billion worse off.

The explanation next to the journal states:

The views expressed are those of the authors and should not be attributed to the World Bank or any of its organisations.

**The Hon. L.H. Davis:** Don't you understand that, still?

**The PRESIDENT:** Order!

**The Hon. T.G. CAMERON:** Does the Treasurer have the full text of this report and, if so, will he make it available to members of the Council?

**The Hon. R.I. LUCAS:** Certainly, and those persons attending tomorrow's briefing will receive an autographed copy of that briefing. We are certainly pleased to give a copy to the Hon. Mr Cameron and any other members who would like it, including the Hon. Mr Crothers. I am happy also to share a copy with the Deputy Leader of the Australian Democrats, should she so require it.

#### NATIONAL CRIME AUTHORITY BOMBING

**The Hon. IAN GILFILLAN:** I seek leave to make a brief explanation before asking the Attorney-General a question about the National Crime Authority bombing of March 1994.

Leave granted.

**The Hon. IAN GILFILLAN:** The facts of the NCA bombing are well known: it took place on 2 March 1994 and claimed the life of Detective Sergeant Geoffrey Bowen and seriously injured lawyer Peter Wallis. A person was charged over the bombing and, after acquittal proceedings, was ordered to stand trial, but the Director of Public Prosecutions decided not to proceed with the case because he determined that there was not a reasonable prospect of conviction. Now, more than four years after the bombing, the case is still open but there is little prospect of any charges being laid.

The Commonwealth has offered a maximum reward of \$500 000 but there has been little, if any, progress. In January this year police failed to persuade the DPP to re-open the prosecution, and, in an article appearing in the *Australian* on 1 March, Assistant Commissioner (Crime) Rob Lean, said:

No individual is under investigation or observation in relation to the bombing.

In New South Wales a similar situation arose after another shocking crime that same year—the 1994 shooting murder of Labor MP John Newman. Mr Newman was gunned down outside his Cabramatta home. After more than three years of police investigation in New South Wales, there was a similar result: no charges laid and no prosecution launched. However, the Newman case was reopened earlier this year by way of a Coroner's inquest. Evidence which emerged at that inquest was sufficiently strong to enable charges to be subsequently laid. Three men are now facing trial over that murder.

In South Australia the Coroner is prevented from investigating the 1994 National Crime Authority bombing by section 26 of the Coroners Act. That section prevents the Coroner's holding an inquest where a person has been charged with criminal proceedings unless the Attorney-General so directs. This situation is unsatisfactory not only to those most immediately affected by the bombing but also to the most senior member of the Federal Parliamentary Committee overseeing the NCA, Independent Liberal Paul Filing. Mr Filing has said that he is 'very disappointed' that no inquest has been ordered.

Given that in this case the charges which were laid were subsequently not proceeded with and given the lack of progress in the police investigation of the bombing, my question is simple: will the Attorney-General direct the Coroner to hold an inquest into the bombing pursuant to section 26 of the Coroners Act and, if so, when will he so direct and, if not, why not?

**The Hon. K.T. GRIFFIN:** I will take the question on notice and bring back a reply. There may be some reasons why the Coroner should not conduct an inquest, but I will need to give careful consideration to those.

#### BLOOD ALCOHOL LIMIT

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the maximum blood alcohol limit.

Leave granted.

**The Hon. J.S.L. DAWKINS:** As a result of the increase in the number of deaths on South Australian roads this year, I have received some suggestions from constituents that the Government give consideration to reducing the maximum blood alcohol limit from .05 to .02 per cent. Will the Minister indicate whether any consideration has been given to such a proposal?

**The Hon. DIANA LAIDLAW:** I did ask for some research on this matter because the same issues have been raised with me. I thank the honourable member for alerting me to the concerns of his constituents, and I am able to bring the results of some research to the Parliament. The increasing number of road deaths has led to people suggesting a whole range of methods that we might be able to advance to address this problem. The research certainly indicates that there is no road safety value in dropping the BAC limit from .05 per cent, as it presently stands, to .02 per cent or zero, and I will briefly highlight why.

In 1990 Sweden dropped its legal limit from .05 to .02 per cent, and I am advised that, while crash numbers fell in the subsequent years and drink driving conviction rates rose markedly, research has confirmed that there is, in fact, a more permissive attitude amongst motorists to drink driving over the new legal limit. There is some concern about that

permissive 'devil may care' attitude and that there is not respect for the change.

Also in the Australian context, the Federal Office of Road Safety in 1990, but not subsequently, reported on this matter when it looked at five studies—three from the USA, one from Canada and a further Adelaide study—into the relative risk of a crash with increasing blood alcohol concentrations.

My advice is that the studies (and I recall the debate in the Parliament on the 10 point black-spot program; I think that even the Hon. Ian Gilfillan was in the Parliament at that time and participated in that debate) were all remarkably consistent in showing a rapidly escalating risk of a crash above .05 per cent but very little chance of a crash risk with alcohol levels lower than that.

I also point out that a more recent analysis of South Australian statistics has identified that most road deaths and injuries associated with alcohol have been where the driver's alcohol level was 0.15 per cent and over, rather than .05 per cent and under. It has been put to me that it is considered unlikely that a limit of .02 per cent would have deterred these drivers from drink driving, and I suspect that that is right.

I would argue to the honourable member that, certainly on the basis of Sweden's statistics and those of the Federal Office of Road Safety, as well as the South Australian accident statistics, there is little to gain from initiating a drink driving limit of .02 per cent in this State. Other reasons would include that some people take medication and could be at that limit or above, yet not have consumed alcohol. I am also conscious that many country people, if they are drinking and driving, do not have alternative means of transport, such as public transport or taxis.

Therefore, while we would wish that they would not, one social drink could bring one above the .02 per cent limit, and that would probably seem unreasonable in the context of social practice in country areas, where there is no alternative means of vehicle transport. That does not mean that I would encourage drink driving behaviour in any form, but I highlight, as I have to people who have inquired of me, that it not be the Government's intention to proceed to lowering the blood alcohol limit from .05 to .02 per cent.

#### TOBACCO ADVERTISING

**The Hon. CARMEL ZOLLO:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Human Services, a question about cigarette advertising.

Leave granted.

**The Hon. CARMEL ZOLLO:** My attention has recently been drawn to the June-July 1998 issue of *Hotel SA*—the official publication of the Australian Hotels Association of SA. I acknowledge the contribution of the association to its industry members in South Australia and the importance of the hospitality industry to the State, but I also recognise the need to be socially responsible in the advertising of material in its publications.

On the rear cover of the Australia Post registered publication is a full page, glossy, colour advertisement for a brand of cigarettes. The advertisement is accompanied by the health warning 'Smoking causes lung cancer—Government health warning' and, in smaller print again, 'Packaging warning required by Government regulation'. The Anti-Cancer Foundation of South Australia reminds us that smoking is recognised as the largest drug killer in Australia, and it is an

addiction that many South Australians struggle to give up on a daily basis while others are encouraged to take up the habit.

It has been the objective of successive State and Federal Governments to discourage smoking, particularly in young people. It has been the focus of many campaigns, including those by Living Health, which has now been axed by this Government. For many years, tobacco advertising has been a very heavily regulated and restricted activity. Publication of advertisements in the print media is prohibited by Federal legislation. However, it would seem that advertisements such as the one that I have just mentioned can be published because of exceptions made possible under the Act for trade communications.

It concerns me that such publications are read or seen not just by people with a vested interest in that industry, especially when such advertisements appear on the back page of such publications. As an example, I point out that the journal is sent to all members of Parliament, and mail is usually opened and delivered by trainees, certainly not people involved in the manufacture, distribution or sale of tobacco products. It would not surprise me if this latest publication found its way into some educational institutions, given the public relations story on the AHA's hotel care program titled 'Hotels support youth'.

The article deals with a sponsorship grant to promote education and young audience development in the arts and the theatre, and commences with the words, 'hundreds of school children will learn'. Given the difficulties in ensuring that such trade publications are kept wholly within the trade, can the Minister raise the issue as an agenda item at the next Health Ministers' meeting to determine whether further restrictions are required to Federal legislation in order to limit the impact of tobacco advertising in trade communications?

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

### SPEED CAMERAS

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Police, Correctional Services and Emergency Services a number of questions on the positioning and placement of speed cameras.

Leave granted.

**The Hon. J.F. STEFANI:** Recently I have been approached by a number of constituents who have expressed concerns about the placement of speed detection devices and, in particular, speed cameras. I have been provided with a number of photographs showing the use of speed cameras on a nature strip, with a cord travelling across a footpath to a police vehicle which was also parked on a nature strip. The constituent who contacted my office has expressed concerns about the possibility of injury occurring to pedestrians using the footpath and tripping over the speed camera cables. My questions are:

1. Can the Minister advise whether there are procedures and guidelines for the use and placement of speed detection devices?
2. If there are such procedures and guidelines, will the Minister provide me with a copy?
3. Can the Minister ensure that the future placements of speed detection devices will not be a possible cause of injury to members of the public?

**The Hon. K.T. GRIFFIN:** My understanding is that there are guidelines, but I will refer the questions to my colleague in another place and bring back a reply.

### GAMBLING, HOME

In reply to **Hon. T. CROTHERS** (27 May).

**The Hon. K.T. GRIFFIN:** The issue of a draft regulatory control model for forms of interactive gambling is not on the agenda of the Standing Committee of Attorneys-General. However, it is being considered by Gaming Ministers. The Treasurer has provided the following information.

Following a meeting of Gaming Ministers on 3 May 1996 an officer level working party was established to develop a proposal for the control of interactive home gambling.

The working party with South Australian representation developed a Draft National Regulatory Model for new forms of interactive home gambling. The draft model was considered at a further meeting of Gaming Ministers on 23 May 1997.

The draft model was released for comment on 18 June 1997. Comment was specifically sought from a cross section of community and industry bodies.

In a press release dated 8 March 1998 the Treasurer indicated that the Government had given in principle support to the Draft Regulatory Model and that the necessary legislation for the adoption of the model would be drafted.

### STUNGUNS

In reply to **Hon. T.G. ROBERTS** (26 May).

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

1. Was the owner of the stungun an employee of Group 4?  
Yes.
2. Who are Group 4s prison managers in Mount Gambier?  
The Group 4 Director of Mount Gambier Prison is Mr Roger Holding.
3. Were they or the Government representatives of the prison aware that stunguns were on site?  
No. The employee does not work on the Mount Gambier Prison contract.
- The incident occurred in Adelaide. It involved a Group 4 employee who works on the Prisoner Movement and In-Court Management Contract. The employee is also a part-time Security Officer at a security company, in Adelaide, and pursues this employment with the full knowledge and approval of Group 4.
- I have been advised that the stungun was a training aid, obtained by the employee for his use while he was working as a Security Officer with the private company. The employee has confirmed, in writing, that the gun was never in his possession whilst he was working in his capacity as a Prisoner Movement Officer with Group 4.
4. What would the effect of a 100 000 volt stungun be on a human being?  
I understand that stunguns work on the neural and muscular system. The effects range from startling an assailant giving some pain, muscle contraction and shock, from a small charge to loss of balance and muscle control, mental confusion and disorientation, leaving the assailant dazed from a large charge.
5. Is the Government aware of the prisoner control policy of Group 4?  
Yes.
6. Does it include the use of stunguns?  
No and never will.
7. Will the Government investigate this incident and make public its report?  
The matter is being investigated by Police. Action to be taken by Group 4 on this matter will be subject to the final police report.

### PRISONS, DRUG AND ALCOHOL TREATMENT

In reply to **Hon. T.G. ROBERTS** (3 June).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised that the Department for Correctional Services has not received a \$7 million reduction in the budget allocation for the 1998-99 financial year.

I believe that the figure of \$7 million to which the honourable member refers in his question, relates to the forward estimates of the

Department. These estimates provided for the expansion of Mobilong Prison and the rebuilding of the Adelaide Women's Prison which, as the honourable member will be aware, will not now be undertaken during the 1998-99 financial year.

As these projects are no longer proceeding, this amount is not being allocated to the Department's 1998-99 budget. Therefore, the assumption that the Department is effectively being cut to the tune of \$7 million is incorrect.

This being the case, I can assure the honourable member that the implementation of the Department's core alcohol and other drug programs, to which I have referred on a number of occasions in this place, will continue in all prisons and community corrections centres in the State.

The range of programs which come under the alcohol and other drug banner, are aimed at the spectrum of offenders with substance related problems from younger offenders with alcohol problems to long-term intravenous drug users. The Government is committed to

the ongoing funding of these programs and they will continue to be evaluated in order to monitor the effectiveness of them and for developmental purposes.

**CANNABIS**

In reply to **Hon. CARMEL ZOLLO** (2 June).

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

1. Number of juveniles and offences detected for cultivating cannabis in South Australia

Year	Number of Offences	Number of Offenders
1995	103	87
1996	93	74
1997	56	50

2. Age and sex breakdown of juveniles detected cultivating cannabis in South Australia

Year	10-14 Years		15 Years		16 Years		17 Years	
	Male	Female	Male	Female	Male	Female	Male	Female
1995	6	2	23	2	22	4	40	4
1996	5	-	15	1	19	5	40	8
1997	1	-	8	1	14	3	26	3

3. Breakdown of action taken against juveniles for cultivating cannabis in South Australia

Year	Formal Caution	Family Conference	Court	Withdrawn	AP no action	Total
1995	36	13	33	3	2	87
1996	39	9	25	1	-	74
1997	21	6	21	-	2	50

4. The Education Department controls the drug programs involving youth in South Australia.

**BEVERLEY URANIUM MINE**

In reply to **Hon. T.G. ROBERTS** (26 February).

**The Hon. K.T. GRIFFIN:** The Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The Members preamble to his questions reflect the confusion generated by the ACF on the Beverley issue over an extended period and not tardiness by any officer of my department.

All relevant documents relating to the Declaration of Environmental Factors (DEF) for the field leach trial at Beverley were released to the media and ACF on 13 February 1998. They have not been tabled in Parliament.

Heathgate, government agencies and the Minister have long considered release of the DEF and documentation for Beverley to be appropriate for the following reasons:

Firstly we wanted to allay the persistent but vague impressions being put about by the ACF and others that the government had secret dealings in connection with environmental assessment for the field trials. These allegations are false.

Secondly, we believed that it is important that sound technical information is in the public domain to allow the public to make their own judgement regarding the project based on fact.

2. Yes.

The proponents for Honeymoon, Southern Cross Resources, like Heathgate, want to be completely open about their proceedings. On 17 April, they gave permission to release relevant documentation relating to the field leach trial DEF.

Minister Kerin determined that the documentation would be made available to the media and ACF to again show the public that a DEF for field leach trials undergoes a stringent process of assessment by government agencies prior to approval.

A full environmental impact assessment must be carried out for Beverley and for Honeymoon before consideration can be given to the granting of a licence for commercial production of uranium oxide. As is normally the case, the assessment processes will include full public consultation.

**LASER GUNS**

In reply to **Hon. T.G. CAMERON** (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. The Expiation Notice Branch system is on mainframe computer and exists for the legal and administrative processes. This involves details of the number of offences and the number that have been expiated or withdrawn and the auditing process involved. It records camera (speed and red light) details separately from other traffic offences, since markedly different details are required for legislative reasons. For non-camera speed detection statistics, there is no ability to separate laser from mobile radar or hand held radar or 'follow and time' detection. Statistics are however provided for all non camera offences as a group. Quest separately, for research, intelligence and operational planning purposes, details including the device used and the number of offences detected are recorded on a database within Traffic Services Division. It has no details of whether the offences were expiated or of the revenue involved.

2. To expand the mainframe database to enable the provision of more statistics would mean additional data entry costs from keying more detail. The SAPOL analysis is that the current systems adequately cover SAPOL operational requirements and legislative obligations and that the ability to expand their capacity does not warrant the additional costs.

3. No high-tech speed cameras are in operation at present. The new cameras are expected to be introduced toward the end of the year.

4. Yes, the majority of the replacement speed cameras will be vehicle mounted—4 tripod and 14 vehicle mounted.

5. A letter to the honourable member has been forwarded in relation to the location and operation of speed cameras on the Australia Day weekend with the information provided in answer to the question by the Hon J.F. Stefani, MLC but which was in a form inappropriate for incorporation in *Hansard*.

**TRAFFIC LIGHTS**

In reply to **Hon. T. CROTHERS** (25 February).

**The Hon. K.T. GRIFFIN:** The simple answer to the question from the Hon. T. Crothers is that if a traffic light is not functioning correctly it is not a 'traffic light' within the meaning of the Road

Traffic Act, 1961 and is accordingly incapable of giving instructions to drivers of motor vehicles.

This is not found in the Road Traffic Act itself, but is reflected in the decision of His Honour Justice Johnston in *Thomas v Jakacic* (1983) 34 SASR 425.

The overriding caveat is that even if a traffic light is not functioning correctly, a motorist must always drive with due care, as required by Section 45 of the Road Traffic Act.

### ELECTRICITY, PRIVATISATION

**The Hon. T.G. CAMERON:** I seek leave to make a brief explanation before asking the Treasurer questions regarding the sale of ETSA.

Leave granted.

**The Hon. T.G. CAMERON:** An article appeared in today's *Financial Review* regarding the Asian crisis and global capital markets. It stated:

Cutthroat pricing in the bank debt sector has become less prevalent as Japanese banks with a reputation for aggressive lending have withdrawn from Australia or slashed their presence here. As a result, future privatisation—such as Victoria's gas industry, and the power assets of South Australia and New South Wales—could deliver lower returns to Governments.

The article continued:

The impact will be felt far more broadly, however, because loan spreads are widening across the corporate and project finance area, signalling an end to the borrowers' market in bank debt.

The article went on to say that a number of deals have suffered which underscore the deteriorating conditions for borrowers in a market hit by the Asian crisis. The article stated:

One of the most obvious implications of the trend is that private sector companies will be less anxious to pay premium prices for assets as they did when bidding for Victoria's electricity distribution and power generation businesses.

Recent bids that have encountered problems include the Power Net deal, CBA's sell down of the \$800 million Sydney Harbor Casino debt, the Optus Communications \$450 million loan, and the refinancing for Boral's Envestra. I am sure that the Treasurer would be well aware of the impact of higher interest rates on any final sale price. My questions are:

1. Is the Treasurer aware of the problems facing borrowers, and have any studies been undertaken to assess the likely impact on the sale price of ETSA?

2. In view of the uncertainty of the sale price in the current economic climate, has the Treasurer considered deferring the sale of ETSA until market conditions for borrowers improve?

**The Hon. R.I. LUCAS:** Certainly this is an issue that our lead advisers, Morgan Stanley, have addressed in some detail with me and the Government in terms of what would be best. Their strong advice is that the best position for the Government is to get to the market, and get to it quickly, and that is for a variety of reasons, including some of the issues that the honourable member has indicated in relation to the deepening problems in some parts of Asia. It is also impacted upon by their perception about the number of buyers who at the moment do not have very many opportunities available on the world scene, let alone the Australian scene, in terms of quality electricity businesses that they are interested in purchasing.

Morgan Stanley has a strong view that we need to be there before the New South Wales Government is able to get its electricity businesses on the market in terms of price for sale. Morgan Stanley's advice to us has been clear and unequivocal, namely, that there are some complications in relation to

the deepening problems in Asia but that, overwhelmingly, we still ought to and need to get our businesses into the marketplace as quickly as possible in terms of maximising the value of the return to South Australian taxpayers.

The other aspect of the deepening problems in Asia which has been highlighted by our advisers is that a number of the potential buyers of our assets are people with whom our advisers deal on a day-to-day basis on the world scene—not just in South Australia but in a number of countries throughout the world. That indicated to us that a number of these people have been looking at pursuing investments in South-East Asia.

For a variety of reasons, taking some of these big US utilities, for example, the decision has been taken by their boards that they need, in effect, to purchase more electricity businesses worldwide to have more investments in parts of the world other than just the American market, and that is a little bit to do with the deregulation which is going on in some States of the United States. Many of them had previously been looking at a number of investments in South-East Asia and India, and very strongly the view has come back that, for a whole variety of reasons, obviously, with the deepening problems in Asia—and South-East Asia in particular—they have reassessed in terms of where they want to invest. They still want to invest in countries other than America, and the most attractive option to them remains Australian businesses, for a whole variety of reasons. At this stage, we are the only ones out there potentially able to get into the marketplace quickly.

So, there is this overwhelming advice, and we must bear in mind the sorts of stories that the *Financial Review* has reported on today in terms of the deepening problems in Asia, and balance the issues in relation to interest rates. As my colleague the Hon. Angus Redford indicates, this is particularly a matter of interest to us running a budget here in South Australia. If you have a debt of \$7.4 billion and interest rates will at some stage in the future increase, the Hon. Mr Cameron only has to do the sums. If our average interest rate at the moment of 6 per cent increases by 1, 2 or 3 per cent at some stage in the future, one only has to do the sums, in terms of the \$7.4 billion debt, to know that there are significant budgetary problems for us in South Australia. So, our clear advice has been to not defer, to get to market quickly, and they believe that there will be a significant number of interested purchasers of our assets, should we do so.

### GAMBLING, SUPPORT SERVICES AND RESEARCH

**The Hon. NICK XENOPHON:** I seek leave to make a brief explanation before asking the Minister for Transport, representing the Minister for Human Services, a question about gamblers' support services and research.

Leave granted.

**The Hon. NICK XENOPHON:** I refer to the answer provided by the Minister for Human Services on 23 February 1998, in response to questions I put to him on 9 December 1997, at which time the Minister said:

The availability of a 24 hour telephone counselling service has been recognised as a gap in the current service response to people affected by gambling.

He further said:

The Government is currently in the process of working with the Gamblers Rehabilitation Fund Committee to identify an optimal model for the provision of such a service and will then commence



negotiations for the implementation of the service. It is anticipated that the service will be available in late March-early April 1998.

I also refer to a study commissioned by the Gamblers' Rehabilitation Fund Committee under the auspices of the Minister's department, which I understand was commissioned late last year, for the National Centre for Education and Training on Addiction (NCETA) to provide an evaluation report on gamblers' self-help groups and families of gamblers' self-help groups. My questions to the Minister are as follows:

1. What steps have been taken towards the implementation of the 24 hour telephone counselling service to which the Minister has previously referred and promised?

2. What consultation has there been with Break Even service providers as to the implementation of such a service?

3. When will such a service be implemented?

4. In relation to the NCETA evaluation report, has a report been prepared and, if so, when will it be released? If it has not been prepared, when does the Minister expect that the report will be available to be released?

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

#### FORESTRY, PRIVATISATION

In reply to **Hon. T.G. ROBERTS** (17 March).

**The Hon. R.I. LUCAS:** The Minister for Government Enterprises has provided the following information.

1. I am not aware of any discussions with industry leaders or their agents on the sale of Forestry SA.

2. State owned plantations in South Australia are managed on the basis of providing commercially sustainable wood volumes that are responsive to market demand.

At present in the South East approximately 67 per cent of the available sawlog volume is sold under supply agreements for terms in excess of 20 years.

The remaining volume is sold for terms of less than 10 years, and will be reallocated through an open expression of interest process as, and when, the log becomes available through the expiry of current supply licences.

This approach is considered to provide direct benefits to the State by ensuring that industry has the confidence to make investments that allow local value adding to the raw material with the flow on benefits to the State. It also provided an opportunity to realise the true market value of sawlog by offering small parcels of log to industry, through the expression of interest process, and thereby obtaining an accurate assessment of the value of local sawlog in relation to national and international markets.

The plantation sale process to be pursued by the Victorian Government will clearly provide an immediate realisation of the market value of their standing plantation. There are no plans to change the current supply approach used in South Australia.

#### ALLENBY GARDENS PRIMARY SCHOOL

In reply to **Hon. M.J. ELLIOTT** (27 June).

**The Hon. R.I. LUCAS:** The Minister for Education, Children's Services and Training has provided the following information.

During the transition process in 1997 parents from Croydon Primary School were requested to indicate where their children would be enrolling in 1998.

Principals in the cluster schools had formed a group to manage the transition of students to new schools. To assist in this process, this group surveyed parents early in term 2, 1997 concerning likely school choice for their students. Many parents from Croydon Primary School did not return the surveys and attempts were made to seek information at various times throughout terms 3 and 4. Many parents remained unwilling to indicate their choice of school. The Principals Management Group monitored the situation on a fortnightly basis throughout terms 2, 3, and 4, 1997. At that time, this group anticipated that most of the children would attend Kilkenny, Challa Gardens or Brompton Primary Schools.

Many parents held the decision to enrol their children at Allenby Gardens until January 1998. Prior to receipt of final enrolments the Principal of Allenby Gardens School informed the District Superintendent that the school would be able to cope with what he anticipated to be approximately 20 enrolments from Croydon. In total, 56 students chose to enrol at Allenby Gardens Primary School at the start of the 1998 school year.

In answer to your question concerning resources, I refer you to the Minister for Education, Children's Services and Training's response to a similar question asked by Ms Trish White on 19 March 1998.

Further advice from Facilities Management Services, Department of Education, Children's Services and Training (DETE) provided since that date indicates that the development of a Facilities Management Plan is the most appropriate way to evaluate the resource needs of Allenby Gardens Primary School, particularly in the light of the increased enrolments. A working group will be established to undertake this task.

The Facilities Management Plan will provide a basis for developing a long term plan prioritising the needs identified by the school community. Facilities Management Plans include an educational brief, a facilities review, an asset condition assessment and a detailed plan on upgrading options. This review of current facilities will allow a comparison to be made between the school's current facilities and the Standard Base Brief.

Other funding for school facilities is available through:

- Back To School Grants, which are allocated annually and calculated using Building Land and Asset Management System (BLAMS) data.
- Programmed Maintenance and Minor Works Funds, which are determined on a State wide priority basis following receipt of request applications from DETE sites.
- Capital Works Assistance Scheme Funds, which are loan funds that are generally jointly repaid by DETE and the site. These are generally used to construct multipurpose activity halls.
- Major Capital Works, which are allocated for projects greater than \$150 000 and used for significant redevelopment. Schools can apply to the Manager, Facilities Management Services, for consideration for inclusion in the forward program for capital works at any time.

In relation to the redistribution of student computing facilities from Croydon and Croydon Park Primary Schools, I am advised that the decisions made at the end of 1997 were based on the parent survey information collected through Croydon Park and Croydon Primary Schools. Adjustments were made to the 1998 Computers Plus grant to Allenby Gardens Primary School in the light of the additional enrolments, resulting in an increase of \$1 191 to the original grant of \$5 769. The number of subsidies allocated to the school this year through the computer subsidy scheme will also be adjusted to account for the additional enrolments.

The Croydon Primary School Consolidated Account has now been finalised and Allenby Gardens Primary School will shortly receive approximately \$14 000 from this source. In addition, the school will be reimbursed for the funds (approximately \$6 000), spent in January to upgrade a class area.

#### SUBMARINES

In reply to **Hon. T. CROTHERS** (26 March).

**The Hon. R.I. LUCAS:** The Minister for Government Enterprises has provided the following information.

1. Port Adelaide, and the Port Adelaide container terminal, is a small port by world standards not well located with respect to major shipping routes. To this end for the port to be successful it must be able to offer high levels of efficiency and reliability in order to attract shipping lines. The Port Adelaide container terminal is efficient in Australian terms. The Government believes the target for all South Australian Industries should be World-Best-Practice. The attraction of shipping lines to the terminal is dependent on the terminal achieving and maintaining high levels of performance.

2. No comment.

3. Mr Reith is aware of the relative performance of South Australian Ports.

#### ELECTRICITY, PRIVATISATION

In reply to **Hon. T.G. CAMERON** (3 June).

**The Hon. R.I. LUCAS:** The low prices experienced in the Victoria/NSW market (commonly referred to as NEM1) are due to

a number of factors including the excess generation capacity that exists in the eastern States. You would be aware that in the 1980s, NSW and Victoria power authorities constructed a number of new power stations in anticipation of an increase in the demand for electricity. However, that anticipated increase in demand did not materialise in the timeframe originally envisaged. As a result, there is now excess generation capacity in NSW and Victoria. Moreover, private operators in Victoria have significantly improved the performance of existing generators compared to that when they were publicly owned, further increasing effective generation capacity.

Excess generation capacity means that competition between generation in NEM1 is intense. In order to maximise the probability that a particular generator will be dispatched, generators bid into the market at the lowest possible price. This bidding behaviour results in low market prices in the Victoria/NSW market.

A further reason for the very low prices in NEM1 is the vesting contracts that exist between generators and retailers. Vesting contracts are negotiated contracts imposed by governments on generators and retailers. The purpose of a vesting contract is to gradually phase in competition in the electricity market. In the early stages of introducing competition into markets, the proportion of generation vested is very high (in excess of 75 per cent of total generation). Over time as more customers become contestable, this percentage is reduced.

Vesting contracts are typically set at high prices (well above the existing market prices). A generator with a vesting contract could be encouraged to bid at very low prices on the proportion of output that is unvested, as the price received for the vested quantity would be much higher and would provide sufficient revenue to maintain viability. In this way the existence of a vesting contract insulates the generator from the effect of low pool prices and contributes to the observed low prices in the eastern states.

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

In reply to **Hon. P. HOLLOWAY** (3 June).

**The Hon. R.I. LUCAS:** I refer to your request for additional information on whether other jurisdictions have enacted legislation to join the NEM.

South Australia is the lead legislator of the National Electricity Law as it was the first jurisdiction to enact its legislation in 1996. NSW, Victoria, Queensland, and the Australian Capital Territory have all subsequently enacted their legislation pursuant to section 5 of the National Electricity (South Australia) Act 1996 which enables them to join the NEM. It is intended that the jurisdictions, including South Australia, will proclaim their legislation when the National Electricity Market begins later this year.

You also asked whether the other jurisdictions have a similar problem with their legislation as South Australia does; that is, does their legislation need this amendment as well?

Jurisdictions have enacted legislation (application of laws legislation) that incorporates Part 2 of the National Electricity (South Australia) Act 1996 (the National Electricity Law). The jurisdictions application of laws legislation ensures that the amendment is automatically picked up in their legislation so that the legislation of all participating jurisdictions is consistent.

#### ELECTRICITY, PRIVATISATION

In reply to **Hon. T. CROTHERS** (18 February).

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

1. The project that contemplates a power-generating plant and steel plant is the South Australian Steel and Energy (SASE) Project which is at present a joint venture between Meekathara Minerals, Ausmelt Limited, PT Krakatua Steel (an Indonesian company) and the State Government. The impact on the sale of the Electricity Trust would appear to be negligible. Initially the project would probably commence by generating its own electricity. Any potential to utilise waste heat for the generation of electricity on a commercial basis is likely to be many years in the future.

2. The SASE Project has been discussed publicly for some time and it is not envisaged that this will have any measurable impact that will affect the sale price of the Electricity Trust as any projected power generation is only likely to occur many years in the future.

#### LEGAL AID

**The Hon. A.J. REDFORD:** I seek leave to make a brief explanation before asking the Attorney-General a question about legal aid.

Leave granted.

**The Hon. A.J. REDFORD:** Members will recall that during the term of the last Parliament the Statutory Authorities Review Committee investigated legal aid and provided a comprehensive and detailed report to this place. I am sure that some members will also remember the contribution I made in support of the Legal Services Commission and some of the criticisms I made of the Federal Coalition policy on legal aid. Indeed, it would appear that the Federal Coalition's policy on legal aid continues to be ill-conceived.

I note that last week there was an article in the *Advertiser* concerning a reduction of staff at the Legal Services Commission. I know a number of people who work within the Legal Services Commission, and I have to say that South Australia is well served by those people. They are hard working and dedicated and they work under great stress and great adversity and with great dignity, and I believe that we all would appreciate their efforts in delivering services to the disadvantaged in our community. In view of the public debate on the availability of legal aid, will the Attorney-General indicate the extent to which State funding for legal aid is continuing and whether or not the State is picking up any net deficiencies in Commonwealth funding?

**The Hon. K.T. GRIFFIN:** The whole area of legal aid is somewhat confused in the public arena, very largely because Legal Aid Commissions around Australia are indicating that they have insufficient funds to meet the need. I believe it all largely arose out of the negotiations with the Commonwealth Government in respect of a new agreement with the Commonwealth after it gave notice to terminate the then existing agreement a year or so ago. However, in this State, we reached a conclusion with the Commonwealth which enabled us to, in a sense, ring fence (I believe that is the commonly used description now) the Commonwealth contributions and the State contributions on the other hand, and to ensure that, if the contributions from the Commonwealth were expended by the Legal Services Commission on Commonwealth matters before the end of a particular financial year, the responsibility for that would be a responsibility of the Commonwealth and not of the State.

*An honourable member interjecting:*

**The Hon. K.T. GRIFFIN:** The Hon. Mr Gilfillan was so unkind as to make a press statement about this in May, when he was calling for extra legal aid funding in the coming State budget. There is one paragraph which I believe demonstrates ignorance of the situation, where he says:

The only response from the South Australian Government has been the Attorney-General, Mr Griffin, congratulating himself for limiting the size of the cuts.

I suppose that that is not a bad way to respond, because we were quite successful in limiting the cuts: when previously they were to be about \$2.7 million, they ended up being about \$1 million, and we were able to negotiate an agreement which identified quite clearly Commonwealth responsibility for Commonwealth matters and State responsibility for State matters. But what the Hon. Mr Gilfillan does not seem to acknowledge, and what is frequently overlooked, is that the present Liberal Government's contributions to legal aid have been increasing since we came to office.

With regard to the former Labor Administration's contributions from 1986 to 1987, up to and including 1993-94—because it was a Labor Government budget for that year—their contribution was a total of \$7.728 million, in eight years. Then from the 1994-95 year—which was the first Liberal Government budget—up to and including the 1998-99 budget, the total contribution by the State is something like \$24.5 million, in five years.

That is escalating. In the current financial year (1998-99) the anticipated contribution by the State is \$5.846 million, increased from the expected 1997-98 contribution of \$5.078 million. So, no-one can say that the State is not pulling its weight in respect of legal aid. It has been largely insulated at State level from a number of restrictions put on other areas of State expenditure.

There are a number of other benefits that the Legal Services Commission gains from the State. One is an exemption from payroll tax, where approximately \$230 000 per annum is saved. My understanding is that there is an exemption from court filing fees and a number of other subsidies. Some services and benefits are received at below market rates, for example, insurance services provided by SACORP; investment services provided by SAFA; property management services; industrial relations advice and representation; information technology services and systems; and various other services such as those provided by Treasury and the Crown Solicitor's Office.

The estimate is that something in excess of \$500 000 worth of services is provided by the State in addition to the actual cash contributed from the budget. So, we are pulling our weight. But I can indicate, as I have before, that we do not intend to put State money into meeting the deficiencies created as a result of any shortfall in Commonwealth legal aid funding. Over the past couple of weeks the Legal Services Commission itself has announced a restructuring that will put more money into legal aid and less into administration, at the same time as increasing (for the first time in probably the last four or five years) legal fees payable to legal practitioners. Those fees had stood still for a number of years and, as part of the restructuring, it was agreed by the Legal Services Commission to make further amounts available to legal practitioners.

From our point of view, the record is good at the State level. We could always put more money in and still not satisfy the demand. But one must assess priorities, and I believe that the way in which we have assessed those priorities is realistic and reasonable in all the circumstances.

**The Hon. A.J. REDFORD:** As a supplementary question, in the light of that information does the Attorney expect the Hon. Ian Gilfillan to acknowledge the role of the Attorney-General and this State Government, and does the Attorney expect that this Democrat will at least keep himself honest?

**The Hon. K.T. GRIFFIN:** It is a very good question. I would like to think that the Hon. Mr Gilfillan would do all those things.

#### HOUSING TRUST TENANTS

**The Hon. G. WEATHERILL:** I seek leave to make a brief explanation before asking the Minister representing the Minister for Human Services a question about Housing Trust rentals.

Leave granted.

**The Hon. G. WEATHERILL:** Recently the *Advertiser* highlighted the fact that tenants who trashed a South Aus-

tralian suburban Housing Trust home, leaving behind filthy floors, rotten food and piles of rubbish, had been given another Housing Trust rental home. The article talks about how the tenants trashed the inside of the house as well as the outside. In a subsequent article the *Advertiser* stated that the South Australian Housing Trust plans to introduce compulsory house checks. The SA Housing Trust Tenancy Association said that this is an infringement of people's privacy, and the association's secretary (Tony Ellmers) said that the checks would be intimidating to many of the trust's 57 000 tenants.

When this story broke in the *Advertiser* some time ago, and particularly when the Minister went on television to talk about it, most South Australian taxpayers were appalled that a person could leave dwellings in this state. One person had something like six and trashed the six houses, yet was offered another one. The *Advertiser* article talks about inspections. I understand that, under the tenancy legislation, if you rent a private home in South Australia a landlord has to give you a week or a fortnight's notice of their intention to come round and inspect the house. My questions to the Minister are:

1. Is the Minister prepared to have these inspectors notify Housing Trust tenants that the inspectors are going around, and will be there within a fortnight or whatever period is required for private landlords?

2. What is the average length of stay in any individual premises of a person renting from the South Australian Housing Trust?

3. What is the average length of stay in any individual premises of all persons who move directly from one trust dwelling to another?

4. What proportion of South Australian Housing Trust tenants who vacate one premises move directly into another of the trust's premises?

5. What are the most common reasons for a person wishing to move from one trust premises to another?

6. What proportion of properties were rented over the 1997-98 year by any one tenant for a period of less than 12 months?

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

#### AUSTRALIAN DANCE THEATRE

**The Hon. SANDRA KANCK:** I seek leave to make a brief explanation before asking the Minister for the Arts a question about Meryl Tankard's contractual arrangements with the Australian Dance Theatre.

Leave granted.

**The Hon. SANDRA KANCK:** Last week the Hon. Carolyn Pickles asked a question of the Minister about the current dispute between Meryl Tankard and the Australian Dance Theatre. In her reply the Minister said:

You should be aware, Mr President, and I highlight to all members, that Ms Tankard's representatives have requested that all matters that are now being discussed between the board and Ms Tankard in terms of the contract be kept confidential.

I have been informed that the situation is somewhat different. I am led to believe that Ms Tankard has confidentiality clauses in her contract that prevent her from publicly discussing the nature and detail of this dispute and most other matters concerning the day-to-day operation of the company. Members should note that the State contributes \$732 000 per annum to the company. My questions to the Minister are:

1. Is it correct that Ms Tankard's contract contains confidentiality clauses that prevent her from publicly discussing the nature and detail of this dispute?

2. Does Ms Tankard's contract prevent her from publicly discussing any aspect of the operation of the company? If so, what is the rationale for confidentiality clauses in the contract of the Artistic Director of a largely publicly funded company?

**The Hon. DIANA LAIDLAW:** I do not have the contract before me, but I will seek advice. I can only say that the contractual terms were signed by both the board and the Artistic Director. If there are such terms in the contract, they would have been terms that Ms Tankard accepted.

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### POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 1 July. Page 928.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The Opposition supports the second reading of this Bill. As highlighted by the Minister, Australia is a signatory to this particular international convention for the prevention of pollution from ships. This Bill seeks to implement the resolutions once they are ratified. There are no difficulties with this piece of legislation. From time to time, as I have indicated, we ratify these international conventions. It is certainly very important in relation to the protection of our seas that harmful substances are not discharged from vessels. Therefore, we support the second reading.

**The Hon. SANDRA KANCK** secured the adjournment of the debate.

### APPROPRIATION BILL

Adjourned debate on second reading.  
(Continued from 1 July. Page 928.)

**The Hon. CARMEL ZOLLO:** The Government's 1998-99 budget needs to be considered in the context of the October 1997 election. It would be fair to say that this Government was put on notice. Unfortunately, the Government appears to have learnt little from the battering it was given last October. The Treasurer has thrown up the threat of a mini budget as a smokescreen in an ideological pursuit to privatise essential public services. We were told in 1997 that the budget was 'on track', that South Australia had 'turned the corner' and was about to emerge into a period of some prosperity. Instead, what we see in this budget are wide-ranging savage tax increases and more pain for South Australian families.

In 1997 the Government's publication 'Essential Information' stated that the budget was '... looking forward to the future'. What the Government did not tell us then was that the future was full of higher taxes and charges, low growth, cuts to teachers, schools, public sector jobs and a depressed jobs market. Perhaps the Premier has taken a leaf out of the Prime Minister's book and demonstrates that some of his election promises, like that not to sell ETSA, were non-call. After five years in Office, it is time this Government was held to account. Threats to sack 10 000 to 20 000 public servants and

increasing the costs to business to balance the books is not the sort of message I think the Government should be giving to the community.

South Australia deserves a compassionate, caring and understanding Government that will provide the conditions for growth and investment—a Government that has faith in its people. The Treasurer has tried to tell us that the success or otherwise of this budget is predicated on the sale of ETSA and Optima. He refers to an illusory \$150 million black hole. These claims are not supported by the budget papers themselves. They reveal the inclusion of expected dividends and tax benefits from the Government's commercial enterprises in the budget's forward estimates, which include ETSA.

One of the problems we encounter when examining this budget is that of the changed method of accounting to an accruals basis. Whilst we support the change to accrual accounting, it does mean that this year it is difficult to effectively check if the budget meets targets set in previous budgets. We are sure that this problem will be resolved for future budgets.

Education continues to bear the weight of cuts. South Australia faces the loss of yet another 100 teachers and a further 30 closed or amalgamated schools. This is in stark contrast to the aspirations of the community for higher standards in education, small class sizes and better resources. The Minister for Education, Children's Services and Training has stated that TAFE will be cut by \$3 million this year and \$9.5 million over three years. How does the Government expect to provide the levels of education needed to provide the expertise and skills required for the future of this State, particularly when Information Technology is bantered around as the future growth explosion for South Australia?

Our State continues to suffer the burden of an unemployment rate 2.3 percentage points above the national average. It is a condition that is totally unacceptable and we must make more of an effort to reduce. Again the Liberal Government has failed to deliver in this regard. In 1997 the Premier predicted there would be a 1.5 per cent increase in jobs for South Australians. The real figures show that jobs have actually been lost at the rate of around 2 per cent. That leaves around 73 000 South Australians without a job.

The Treasurer describes this budget as firm but fair. But the question remains: fair to whom? It is certainly not to the South Australian families who must carry the burden of the savage increases in taxes and charges. The Government is also seeking to present a panacea for all our economic problems in the guise of the ETSA privatisation. But I believe it is indulging in a cargo cult mentality, which promises to solve all our problems by selling off or privatising the management of Government assets without worrying about the social costs.

The examples we have to date of the EDS and United Water contracts show that, despite all the promises, it has failed to deliver in terms of jobs, ownership and prices. Therefore, is it any wonder that, given the attitudes displayed by this Government in its disregard for promises made during the election just seven months ago, some people in the community are becoming increasingly disillusioned with the political processes, disillusioned to the extent that they seek solace in fringe groups claiming to have even more simplistic answers. But we know that printing more money is not the answer, or do we? ETSA must not be used as this Government's cash cow solution to our economic problems.

I have on file a series of questions concerning the year 2000 date problem. As someone who has had to adapt

to some technology for work purposes, though never claiming to be an expert, I am surprised at the late response in Government departments concerning the resolution of this problem. Various known as the millennium bug, though I think we all understand that it is not a bug, the year 2000 (or Y2K) date problem could cause enormous damage in virtually every aspect of our increasingly technological society if corrective action is not taken well before 1 January 2000, now less than 18 months away.

This budget indicates that \$78 million has been allocated to deal with the issue, and I believe not before time. However, it is not clear how much of this money is going specifically to insulate against the Y2K date problem, as opposed to standard maintenance and upgrading programs. Nor does it indicate EDS responsibility as the Government's IT data provider in the matter of Y2K. One would have thought that EDS must carry at least some responsibility in this area.

Information Technology is an important component to the future growth of South Australia, and should have been dealt with in a smarter fashion by this Government. The millions of dollars lost through ventures such as the failed Australis Galaxy pay TV centre is a regrettable example. IT funding in this budget further highlights the gap between the Government promises and rhetoric and positive real outcomes.

Meanwhile, the South Australian health care system keeps on suffering. In the last few months, there have been claims and counterclaims by both the State and Federal Health Ministers concerning funding for our hospitals. When will the Minister for Human Services take responsibility for the crisis in our health system instead of blaming Canberra? With respect to motorists, by definition, virtually every person over the age of 16 will bear a very large burden of the State budget revenue increases.

When the RAA, a politically conservative organisation, has the headline in its *SA Motor* magazine, 'Government slugs SA's "Wallets on Wheels"', you know that the increases must be particularly harsh. South Australian motorists will be hundreds of dollars worse off, and again the hardest hit are those who can least afford to pay, the struggling low income families. Those who do not or cannot afford to drive will not miss out. They will be slugged increased public transport charges.

In particular this budget will hit hard country and rural South Australia, not only through the increases in motoring and other fees but through further cuts to already poor services. Already rural South Australia is suffering from high unemployment and the closure of Government agencies, bank branches and other central services, and this budget will compound those effects.

This is a high tax, low jobs budget which will hurt those who can least afford it—ordinary South Australian families. At a time when we can least afford it the budget is cutting jobs, increasing stamp duty on compulsory third party and general insurance and raising a myriad of other fees and charges by well over the inflation rate. The emergency services levy is nothing more than a land tax on every family home.

South Australians were told that we were in the home straight, that our economic problems were under control. This budget shows that that is not the case. This budget has failed to deliver to South Australia. The Leader of the Opposition has outlined an alternative strategy to put South Australia and South Australians above the ideological self-interest of privatising an essential asset. This is not the budget we had to have, as some people are suggesting. In no way could it be classified as a fair budget, especially given the enormous impact it will have on thousands of struggling South Australian families in the form of increased taxes and charges following the cutbacks in services at the Federal level.

**The Hon. J.F. STEFANI** secured the adjournment of the debate.

#### **TECHNICAL AND FURTHER EDUCATION (INDUSTRIAL JURISDICTION) AMENDMENT BILL**

The House of Assembly intimated that it had agreed to the Legislative Council's amendment and that it had made a consequential amendment.

#### **ADJOURNMENT**

At 3.38 p.m. the Council adjourned until Wednesday 8 July at 2.15 p.m.