

SOUTH AUSTRALIA

# PARLIAMENTARY DEBATES

(HANSARD)

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## Second Session of the Forty-Ninth Parliament (1998)

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Parliament, which adjourned on 2 September, was prorogued by proclamation dated 17 September. By proclamation dated 17 September it was summoned to meet on Tuesday 27 October, and the second session began on that date.

### LEGISLATIVE COUNCIL

**Tuesday 27 October 1998**

The **PRESIDENT (Hon. J.C. Irwin)** took the Chair at 12 noon.

#### OPENING OF PARLIAMENT

The Clerk (Mrs J.M. Davis) read the proclamation by His Excellency the Governor (Sir Eric Neal) summoning Parliament.

#### GOVERNOR'S SPEECH

His Excellency the Governor, having been announced by Black Rod, was received by the President at the Bar of the Council Chamber and by him conducted to the Chair. The Speaker and members of the House of Assembly having entered the Chamber in obedience to his summons, His Excellency read his opening speech as follows:

Honourable members of the Legislative Council and members of the House of Assembly:

Today we enter the second Parliamentary year of my Government's second term.

This is a term of Government which has kept to its promised path.

That is, it remains dedicated to sustainable economic development in tandem with social responsibility.

It is a term of Government equally dedicated to self-esteem for all South Australians—self-esteem delivered through self-reliance and self-confidence.

And self reliance being the welcome result of increased job opportunities.

It is a term of Government dedicated to quality of life for all South Australians—quality of life delivered through debt reduction and stimulated investment growth.

Because the results of debt reduction and investment opportunities ARE jobs.

And jobs are the key to self-esteem and quality of life.

It is within that framework, a framework planned with determination to reach this critical objective, that my Government begins this new Parliamentary year.

It will not be an easy year.

My Government seeks to deliver the above outcomes while all around are challenges, issues out of State control.

We have a crisis in Asia, and some degree of economic turmoil besetting most of our trading partners.

We know that growth forecasts for the major western economies have been slashed.

But my Government sees that as no reason to pull back from its goals.

It does make the decisions of this Parliament, against that economic backdrop, all the more crucial.

This session, all 69 Parliamentarians have the future quality of life and the self esteem of South Australia very much in their hands.

It is an onerous responsibility, one which calls for a just and bipartisan approach, an approach of goodwill—and of willing negotiation and compromise—to get to where this State needs to be.

This situation arises because my Government's legislative program contains critical debt reduction measures.

In particular, I refer to the legislation which seeks to have the risk of ownership of our power utilities in the new national market pass to the private sector by way of trade sale, long term lease or public float.

Such measures are not driven by ideology.

They are driven by commitment to the needs of all South Australians who want their public hospitals to deliver quality of care, and their State schools to deliver us employable young adults to be proud of.

This is coupled with a commitment to, never again, drag this State and its people down financially and psychologically.

More debt CANNOT be the solution to meeting the needs

of South Australians.

It is an irresponsible path my Government refuses to pursue.

It is reducing the State's debt.

It is cancelling out the onerous interest payments on that debt which WILL provide the solution.

Through those measures, money which currently pays the high interest on the debt—still some \$2 million dollars a day—will be handed over to much needed social and construction programs.

This will deliver a combination of many more jobs and far greater services and facilities.

It will give our hospitals and clinics state of the art equipment and the financial status to employ the number of professionals they need, to meet the community's needs.

It will give our schools the ability to have all our school children computer literate well before they complete their education.

That should not be a goal but a minimum acceptable standard.

An almost debt free State can deliver that goal.

It can, and will, deliver my Government's main objective—economic growth with social responsibility.

My Government notes that questions have been asked about exactly what debt reduction, what targeted asset sales do for a community which needs jobs.

Questions have also been asked about what a program of infrastructure projects such as Glenelg/West Beach, the National Wine Centre, the Memorial Drive redevelopment, and the Riverbank project do for a community which, above all, needs employment.

My Government answers that those policy directions, far from being blinkered, are, in fact, the essential keys to opening up job opportunities.

It is why, despite budgetary constraints, my Government has embarked on the largest capital works program in this State's history—a program costing \$1.24 billion.

It is there to stimulate job creation.

And for that reason, those policy directions will be reflected in the legislative program which will be before this Parliament this year and for the next three years.

My Government will not resale, and will not deviate from this strategy aimed at job creation.

It sees this as the only strategy which can deliver what every South Australian wants for themselves and their families—quality of life and job security and an end to the drift of our youth to interstate job markets.

Part of that determination to job creation is a plan to consult widely with the community across the State in a series of job workshops.

These will be conducted over a four week period as part of my Government's continued commitment to tackle unemployment in the State. This will be free of political based debate. My Government is looking for a series of constructive ideas on which to base policy options.

My Government has the determination to follow through seeing its quest in the short term as to be responsible rather than popular, respected rather than liked.

Through its legislative program it intends to continue to present to South Australians a framework for recovery:

—an interlocking and compatible list of plans and objectives which add up to a total picture of a vibrant State.

—a State which has created a climate that encourages business growth, and has an increased and relevantly skilled population.

—a population which enjoys harmony in the workplace and feels safe at home and in the street.

—a population which can plan for its children's future with certainty.

—a population which has pride in being South Australian, pride in being part of a creative, dynamic and innovative regional economy.

The legislative and policy program I now outline will, through the ambition and support of all South Australians, work toward this result.

In the area of Human Services my Government will continue to assist those in need, and to promote health and wellbeing.

Importantly, my Government has drawn together health, housing, community services, ageing and disability services to ensure that all those services are focussed on the needs of families and individuals and NOT institutions.

This is an essential foundation for all future legislation in the human services area.

In August, the new five-year Medicare agreement was signed which will boost funding for our State's hospitals and enable my Government to introduce new and innovative programs to provide care in the home and community.

My Government through the Minister was instrumental in fighting to secure a fairer deal for all States.

Despite a withdrawal of federal funding, children in our State will, completely free of charge, continue to be able to access a new vaccine for whooping cough which has fewer side effects.

We will also continue to provide South Australians over 70 with free influenza vaccine.

Coinciding with the International Year of Older Persons we will deliver a specific and comprehensive promotion plan.

And we will continue to promote vital health prevention strategies to complement Active Australia; the national initiative aimed at increasing population physical activity.

Importantly, smoke free dining legislation will come into effect in January 1999.

With a commitment of \$3.9 million, my Government will develop the most significant tobacco control strategy ever undertaken in this State.

And armed with the knowledge that early detection is the key to successful treatment of many cancers, my Government will continue to promote and encourage cervical and breast cancer screening programs.

At the same time the health infrastructure will continue to be strengthened with the awarding of contracts or completion of a number of major capital works projects in coming months.

These include contracts for stage two of Kangaroo Island hospital, and Mount Barker day surgery and community health centre, and the opening of the Port Lincoln hospital redevelopment. Flinders Private Hospital will become operational.

Legislation will be introduced to rewrite the Nurses Act.

This will ensure that the regulatory framework within which nursing is practised keeps pace with modern developments and standards.

And my Government will continue to fund and use information technology to benefit patients.

For example, through the 'telehealth in the home' project, a trial is underway to allow country renal and respiratory

patients to have two-way consultations with the Queen Elizabeth hospital in the comfort of their own homes.

In Housing: over the coming months new guidelines will be introduced for public and community housing which will ensure all new housing assistance is provided on a needs basis, with priority to those in greatest need.

And my Government will also continue with its efforts to secure a new five-year funding agreement for housing with the Commonwealth Government.

All of the above is aimed at ensuring all South Australians who have need to use ANY of the human services areas receive the quality care and support that they deserve.

Continued work with Aboriginal Communities is vital to furthering their social, cultural and economic advancement and my Government will continue to provide a coordinated approach to Aboriginal Affairs within the State.

In the areas of Education, Children's Services, Training, Employment and Youth:

My Government will continue to build on the successful integration it has carried out of those areas which care for, and nurture, young people from child care through to tertiary education and employment.

A review of the Education Act 1972 and the Children's Services Act 1985 has begun through an open process of community consultation.

Through this, we are looking to promote flexible and innovative services to meet the changing needs of pupils, their families and the workforce.

A \$1 million fund has been made available by my Government to assist existing child care services experiencing problems following changes to Commonwealth funding arrangements.

It is an area where my Government would have liked to have the funds to offer far more support.

Budgetary constraints and the State's debt levels currently make this impossible.

Numeracy and literacy continues to be a priority.

More than \$4 million will be distributed to preschools and schools to support children who appear to have those skills at risk.

And a new scheme to assess children's learning in the first years of school will be introduced into at least 60 per cent of schools during the next year.

Technology use in schools will remain crucial.

Computer skills—providing every South Australian pupil with the opportunity to become computer literate is also a very high priority, with new support programs being introduced.

And my Government's highly successful traineeships program will continue.

This program continues to deliver public and private sector employment or further education outcomes to more than 70 per cent of the young people involved.

It is a program other States look on with envy and are now speaking of implementing.

The Government will now commit a further \$31.2 million to train another 2400 young people in the next two years and in 30 different occupational categories.

One thousand of these young people will be placed in regional locations.

And this will increase opportunities for Aboriginal and Torres Strait Islanders and young people with disabilities to participate.

This is part of a far broader policy commitment which is costing \$100 million.

This also delivers employment to 600 graduates, and places young people in 1500 small businesses—a much-needed start in the workforce.

All my Government's education programs are dedicated to ensuring more young South Australians are prepared to the highest standards for their future careers.

And it is being achieved through a quality education system that is relevant to the needs of society and to the fast changing workplace.

The protection of our valuable environmental resources will continue to be a key objective of my Government with a particular focus on ensuring access to safe and secure water resources which is essential for any community.

Improved planning controls for waste management are being developed as part of an environment protection (waste) policy.

My Government will continue to develop the framework for protecting marine habitats and their biodiversity following the release of the Marine and Estuarine Strategy for South Australia by addressing such issues as sustainable use, improved management and conservation of the coastal and offshore environment.

In Transport, my Government will continue to facilitate the construction of the new domestic and international integrated terminal at Adelaide Airport.

Planning for stage two of the Southern Expressway is nearing completion, and the construction of the Adelaide to Darwin Rail link is scheduled to start in 1999 as key transport infrastructure for the next millennium.

Work is on schedule on the Adelaide-Crafers Highway with completion expected in December 1999.

My Government is continuing to improve its customer service and safety on public transport with a range of initiatives.

These include equipping public transport staff with mobile phones for public use after 8 p.m. to ensure passengers concerned for their safety can arrange to be met.

At the same time, after dark, passengers can request a safe set down as near to home as possible.

These initiatives may seem small—but they are a reflection of my Government's concern for the wellbeing of South Australians.

Meanwhile my Government is committed to Adelaide remaining the national leader in transport for people with disabilities. By early next year, Australia's first of 53 low floor, fully accessible, compressed natural gas powered buses will be in operation as part of a regular public transport service.

In country regions, a trial of air-conditioned school buses is underway.

And further legislation will be introduced to refine the competitive tendering processes for public transport services.

In the City, in Tourism, and in the Arts my Government is taking aggressive policy decisions.

The legislation relating to the Governance of the City is now leading up to new elections—a new beginning for management of the future direction of this City.

My Government is also placing priority on the revitalisation of the central business district.

Some \$400 million of private and public funds have been spent or committed to the North Terrace precinct and the Riverbank environs, including the National Wine Museum, the State Library extensions, the National Aboriginal Cultures Gallery, the \$55 million Convention Centre upgrade and the Riverbank project itself.

The redevelopment of the Festival Centre continues, with acoustic and auditorium upgrades completed in time for the staging of *The Ring* next month—the biggest cultural event in Australia's history in terms of interstate and international visitor numbers.

Priority works costing nearly \$4 million will be completed by the end of this financial year.

Work is also nearing completion on the \$5 million redevelopment of the National Motor Museum at Birdwood.

Such works are not considered luxuries by my Government.

They are dedicated to celebrating our culture and increasing both tourist numbers and the length of stay in South Australia.

Through that, more jobs will be created for South Australians.

All of this is aimed at creating long term, secure jobs for South Australians through developing a tourism industry which already employs 26 000.

In Industry and Trade and State Development:

My Government is continuing with its policy of expanding the call centre sector which now employs 4000 people.

It is also on track with its policy to develop IT industries. This sector employs 10 700 and is growing at 15 per cent per annum. Similar policies are in place to support defence, electronics, and the food sector which is expanding rapidly, especially in aquaculture.

The food sector will be further supported by the establishment of a Food Exporters Association.

It is expected that the next year will see Government industry support delivered to an average 420 local companies to create more jobs.

In the next year also, my Government will continue to spend approximately 70 per cent of its industry development funds assisting already established local companies to further develop, to become globally competitive.

In the area of Primary Industries, Natural Resources and Regional Development my Government has a series of initiatives to be undertaken.

My Government has established a task force to report on regional development and will consider its recommendations to ensure whole of State participation in economic development.

Regional development is being boosted by the current success of our viticultural and food industries, to the point where my Government is now tackling a unique problem of dealing with labour housing shortages in significant areas of the Mid and Upper South-East.

Significant growth is also being experienced in the Riverland, Northern Adelaide Plains and Fleurieu regions.

My Government has made a commitment to improve our State's irrigation systems, particularly a commitment to the rehabilitation of the irrigation water supply infrastructure at Loxton and a further joint venture program in the Qualco-Sunlands area of the Riverland.

In partnership with the community my Government will be developing overarching legislation for natural resource management. This will provide a more consistent and efficient legal framework through a common set of policies and processes for all natural resource management legislation.

A new exploration initiative to assist private sector exploration for mineral, petroleum and ground water resources will be undertaken at a cost in excess of \$23 million over the next four years.

Yet again this is designed to eventually deliver more jobs for more South Australians.

Control of offshore exploration and mining is also to be implemented.

My Government will introduce legislation to give effect to some of the options for State action under the Commonwealth's recent amendments to the Native Title Act 1993.

In particular, it will validate certain tenures granted in this State over the past 160 years.

It will make the State test for registration of claims consistent with the Commonwealth test, and it will adjust the existing right to negotiate scheme in the Mining and Opal Mining Acts to make them consistent with the modifications that the Commonwealth has made to its scheme.

Importantly, it will also introduce legislation to insert a right to negotiate scheme in the Petroleum Act 1940 that is consistent with the mining and opal mining schemes and that will operate in place of the Commonwealth scheme.

It is intended that this legislation will lie on the table over the Christmas recess so that my Government can undertake an extensive consultation process with indigenous and industry groups.

To ensure our planning system recognises the Government's goals of sustainable economic development and reinforces our quality of life, a review of the Development Act is taking place.

My Government is continuing with its reputation for proactive ministerial portfolio allocation.

Following on from introducing Australia's first dedicated State Minister for Disabilities, this Parliament brings Australia's first dedicated Minister with responsibility for Year 2000 compliance.

This State intends to be ready to meet and overcome the challenges that are increasingly being identified with this difficult and complex problem.

In addition a dedicated team in State Development, as part of the Department of Premier and Cabinet will concentrate on national and international investment.

In the areas of shopping hour reform, and industrial relations, my Government will be moving forward with legislative change.

My Government will introduce legislation to amend the Shop Trading Hours Act to implement the results of the review of shop trading hours. The legislation will balance the range of interests involved in retailing.

My Government will build on its record of reform in industrial relations legislation.

Through the Industrial Relations Advisory Committee the Government has consulted with the industrial partners on the implementation of its electoral mandate and legislation to achieve this goal will be introduced.

My Government is well advanced in the scoping review of a range of Government assets.

The Attorney General will introduce legislation related to ensuring the safety and security of all South Australians.

A Bill will be introduced to clarify police powers with respect to the use of surveillance devices.

A Bill will be introduced to make amendments to the Domestic Violence Act 1994 and the Summary Procedure Act 1921. These amendments will ensure legislation which works well continues to operate effectively.

There will be legislation to deal with the contamination of goods. This contains new criminal law provisions to deal with the contamination or threatened contamination of goods to cause public alarm or economic consequences.

My Government also intends to introduce legislation to remove the penalty for failing to vote at a State election. My Government has clearly stated its opposition to compulsory voting. The proposed legislation will still recognise the responsibility of citizens to vote but the penalty for refusing to vote will be removed.

In the area of Treasury and Finance, my Government is entering a period of considerable change in the relationship between the Commonwealth Government and the States in relation to Federal taxation reform and Federal State relations.

This will encompass a raft of financial and budgetary restructuring as some nine State taxes are abolished.

The recent endorsement by the Australian community of the re-elected Commonwealth Government's tax reform proposals does however provide us with the unique opportunity to reform fundamentally the nature and scope of this State's financial relations with the Federal Government.

In providing the States with access to the revenue raised from the goods and services tax, the Federal Government is providing access to a revenue source with growth characteristics comparable to likely demand for State Government funded services.

Much of the detail now needs to be worked through and my Government will be pursuing further discussions with other States and the Federal Government to progress this with speed.

At the same time my Government aims to remain at the forefront of public sector reform in budgeting processes and practices.

My Government will introduce legislation which addresses a number of revenue issues. The Stamp Duties Act will be amended to put beyond doubt, that both existing and future assessments of duty in respect of share buyback schemes are dutiable.

My Government will also be introducing legislation to expand the stamp duty exemptions provided for inter-generational farm transfers to include nephews and nieces. It will also expand to include farm and plant equipment transferred.

This a further example of my Government's pledge to provide assistance to rural families.

My Government is also to introduce legislation to regulate and control gambling offered via the Internet or by any other telecommunication means.

The legislation will provide protection for players. And it will establish an inter-jurisdictional scheme which will ensure that gambling offered electronically meets stringent technical and probity standards.

It will also enable South Australia to receive tax revenue collected from interstate jurisdictions where South Australians have used interactive gambling products.

My Government asserts that the package of policy and legislative program outlined is in line with its determination to deliver quality of life and job security to all South Australians.

We cannot ignore the challenge of a global market place but we can ensure a smooth transition to create a prosperous future.

Since you were last called together Parliament has recorded the death of former long serving member and Deputy Premier the Hon. Jack Wright AO. I join in the tributes already made to his work on behalf of this Parliament and this community.

I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the people of this State.

The Governor retired from the Chamber, and the Speaker and members of the House of Assembly withdrew.

The President again took the Chair and read prayers.

*[Sitting suspended from 12.50 to 2.30 p.m.]*

## STATUTORY AUTHORITIES REVIEW COMMITTEE

The **PRESIDENT** laid on the table the report of the Statutory Authorities Review Committee 1997-98, which was authorised to be printed and published pursuant to section 17(7)(b) of the Parliamentary Committees Act 1991.

## AUDITOR-GENERAL'S REPORT

The **PRESIDENT** laid on the table the Auditor-General's Report and Treasurer's Financial Statements 1997-98, Parts A and B.

## MEMBERS' INTERESTS

The **PRESIDENT**: Pursuant to section 5(4) of the Members of Parliament (Register of Interests) Act 1983, I lay upon the table the Registrar's Statement, June 1998, prepared from ordinary returns of members of the Legislative Council.

The **Hon. R.I. LUCAS (Treasurer)**: I move:

That the Registrar's Statement be printed.

Motion carried.

## PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Reports, 1997-98—  
 Construction Industry Training Board  
 Department of the Premier and Cabinet  
 Department of Treasury and Finance  
 Funds SA  
 Gaming Machines Act 1992—State Supply Board  
 Gaming Supervisory Authority  
 Motor Accident Commission  
 Office of the Commissioner for Public Employment  
 Optima Energy  
 Report of the Presiding Officer, Promotion and  
 Grievance Appeal Tribunal  
 Report on the Operations of the Auditor-General's  
 Department  
 South Australian Gaming Machines Act 1992—Liquor  
 and Gaming Commissioner  
 South Australian Government Captive Insurance  
 Corporation  
 South Australian Government Financing Authority  
 South Australian Parliamentary Superannuation  
 Scheme  
 South Australian Superannuation Board  
 University of South Australia—Report, 1997  
 ETSA Corporation—Report, 1998  
 Office of the Commissioner for Public Employment—SA  
 Public Sector Workforce Information—Report, June  
 1998  
 Budget Results, 1997-98  
 ETSA Corporation—Charter  
 SA Generation Corporation—Charter  
 Remuneration Tribunal—Report relating to Determination  
 No. 2 of 1998—Ministers of the Crown and Officers  
 and members of Parliament

Remuneration Tribunal—Report relating to Determination No. 3 of 1998—Auditor-General, Electoral Commission, Deputy Electoral Commissioner and Employee Ombudsman

Regulations under the following Acts—

Education Act 1972—Teachers' Registration

Petroleum Products Act 1995—Subsidy Rate

Public Corporations Act 1993—

ETSAs Transmission Corporation

Treasurer

Southern State Superannuation Act 1994—Various

Technical and Further Education Act 1975—Principal

Tobacco Products Regulation Act 1997—Smoking in Dining or Café Areas

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

Reports, 1997-98—

Advisory Board of Agriculture

Courts Administration Authority

Director of Public Prosecutions

Electrical Technical Regulators

Gas Technical Regulators

Legal Practitioners Disciplinary Tribunal

Phylloxera and Grape Industry Board of SA

Soil Conservation Council

South Australia Police—Report and Statistical Review Supplement

South Australian Classification Council

State Electoral Office

Dried Fruits Board of South Australia—Report, 1996-97

Institution of Surveyors, Australia—South Australian Division Inc.—Report, 1997

South Australian Water Corporation—Corporation Charter

South Australian State Electoral Office—Statistical Returns for General Elections—11 October 1997

Regulations under the following Acts—

Coroners Act 1975—Coroner Daily Fees

Dangerous Substances Act 1979—Principal

Electricity Act 1996—Various

Liquor Licensing Act 1997—Dry Areas—Long

Term—Moonta-Port Hughes

Police Act 1952—Principal

Subordinate Legislation Act 1978—Postponement of Expiry

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

Reports, 1997-98

Dental Board of South Australia

Local Government Finance Authority of South Australia

National Road Transport Commission

Local Government Finance Authority of South Australia—Report, 1998

Architects Board of South Australia—Report, 1995

Architects Board of South Australia—Report, 1996

Architects Board of South Australia—Report, 1997

Local Government Boundary Reform Board—Report, January 1996—September 1998

Rules—

Local Government Act 1934—

East Waste Management Authority Inc.—Amendment to Rules

Southern Eyre Peninsula Controlling Authority

Racing Act—Harness Racing—Driving Tactics

South Australian Athletics Stadium—Charter—Effective 1 July 1998

Development Act 1993—

Report on the Interim Operation of the City of Port

Lincoln—Lincoln Cove Plan Amendment Report

Report on the Interim Operation of the City of

Prospect—Local Heritage Places Plan Amendment

Highways Act 1926—Lease of Properties—Transport SA

Third Party Premiums Committee—Determinations

Regulations under the following Acts—

City of Adelaide Act 1998—Elections and Polls

Development Act 1993—Private Certifiers

Highways Act 1926—Highways Fund

Housing and Urban Development (Administrative Arrangements) Act 1995—Aboriginal Housing Authority

Local Government Act 1934—Superannuation Board—

Approved Authority

Members Salary

Motor Vehicles Act 1959—Drivers Licences

Road Traffic Act 1961—Declaration of Hospitals

South Australian Health Commission Act 1976—

Prescribed Hospitals and Health Centres

District Council By-laws—

Southern Mallee—

No. 1—Permits and Penalties

No. 2—Moveable Signs

No. 3—Council Land

No. 4—Caravans and Camping

No. 5—Creatures.

## STATE BUDGET

**The Hon. R.I. LUCAS (Treasurer):** I seek leave to make a ministerial statement about the 1997-98 budget results.

Leave granted.

**The Hon. R.I. LUCAS:** The 1997-98 budget results document which I have just tabled presents an analysis of the 1997-98 actual results against the 1997-98 budget tabled in Parliament in May 1997. Estimated results for 1997-98 were included in the 1998-99 budget documentation.

The original budget did forecast a small underlying surplus of \$1 million. When we tabled the 1998-99 budget, this estimate was revised upwards to a surplus of \$4 million. I am now pleased to report to the House that the actual underlying surplus for the non-commercial sector for 1997-98 was \$48 million, a significant improvement on the Government's original budget estimate.

The improvement in the budget position for 1997-98 principally reflected an improvement in revenue and grants of \$79 million, offset in part by a \$32 million increase in outlays. This budget benefit is largely the result of one-off factors occurring in 1997-98, such as the \$26.8 million additional stamp duty on a number of property transactions—for example, Adelaide Airport. It does not represent an ongoing structural improvement in the budget.

Notwithstanding the small deterioration in overall outlays, there was significant underspending in gross fixed capital expenditure, mainly as a result of project delays. Projects that experienced delays included the Hindmarsh Soccer Stadium redevelopment; the construction of the Aboriginal Cultures Gallery; the Mawson Lakes development; and the implementation of the new Lotteries Commission system. This timing related underspending afforded the Government the capacity again this year to increase past service superannuation payments. A total of \$419 million was paid to the Superannuation Funds Management Corporation (Funds SA)—\$264 million greater than forecast.

Total receipts of the non-commercial sector were above budget by \$79 million in 1997-98. The improvement, in the main, reflects growth in revenue of \$72 million from taxes, fees and fines and Commonwealth grants exceeding the budget forecast by \$18 million, offset in part by lower than budgeted level of subsidy receipts of \$14 million for non-commercial public trading enterprises.

Net proceeds from the sale of Government businesses amounted to \$147 million, including a return of capital of \$116 million from the SA Asset Management Corporation, relating to the settlement of several litigation matters

associated with the former State Bank. These proceeds were applied to debt reduction.

Net debt decreased in real terms during 1997-98 to \$7 465 million, or 19.9 per cent of the State's gross State product, as at 30 June 1998. This compares to \$7 530 million, or 20.7 per cent of GSP, as at 30 June 1997.

In 1996, the Government for the first time published an unaudited whole-of-government statement of financial position (or balance sheet) and abbreviated notes as at 30 June 1996.

The Budget Results 1997-98 again includes an unaudited whole of government statement of financial position as at 30 June 1998. The statement is unaudited as much of the data collected from agencies was received prior to the finalisation of the audit of their accounts. The balance sheet reveals that the South Australian public sector has a net worth of \$8.3 billion. The Government's guarantees and contingent liabilities to entities external to the public sector have risen slightly from \$4.57 billion in 1996-97 to \$4.61 billion as at June 1998. In concluding, I would like to offer my thanks to the employees within Government and the various agencies who have assisted the Government to achieve this sound result in 1997-98.

### DRIVING, DRUGS

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I seek leave to make a ministerial statement on the subject of drugs and driving.

Leave granted.

**The Hon. DIANA LAIDLAW:** Earlier this month, a report entitled 'The Prevalence and Role of Alcohol, Cannabinoids, Benzodiazepines and Stimulants in Non-Fatal Road Crashes' was released by one of the authors, Dr Robert Lokan, at an international forensic science conference. This report was based on a study funded by the State Government through Transport SA with significant financial contributions from the Federal Office of Road Safety and the National Drug Crime Prevention Fund. The study was made possible by South Australian law which requires motorists admitted to hospital after a crash to give a blood sample. There were 2 500 non-fatally injured drivers tested and levels of culpability for the crash determined.

The study found that over three-quarters (77.4 per cent) of the drivers had no drugs or alcohol in their blood. The most prevalent drug found amongst the 22.6 per cent of drivers who did test positive was alcohol (12.4 per cent) followed by cannabinoids (marijuana) (10.8 per cent), benzodiazepines (2.7 per cent), and stimulants (1.3 per cent). In many cases, two or more drugs were found in the blood of the driver with the most common combination being alcohol and marijuana. The study, in what is believed to be a world first, provided evidence that drugs for the relief of insomnia or anxiety, even at therapeutic levels, were linked to culpability. The study confirmed that alcohol remains a major contributor to crashes, with evidence clearly relating the level of alcohol in the blood stream to responsibility for a crash.

The report showed no significant relationship between stimulants and culpability, and the numbers testing positive for this drug were very low. However, the effect of marijuana on driving ability and culpability is far from conclusive. While the report notes that marijuana at the low levels encountered in the samples had no effect on culpability, it warns that, at high doses, marijuana is capable of producing hallucinations. It also notes that, at even lower concentrations

but at the high end of those achieved by most users, marijuana 'may have an adverse effect'.

Other studies and recent events confirm the difficulties in determining the effect of marijuana. The National Drug Safety report on 'The Health and Psychological Consequences of Cannabis Use', published in 1994, notes:

... there is sufficient consistency and coherence in the evidence from studies of cannabinoid levels among accident victims, and a small number of epidemiological studies, to infer that there probably is an increased risk of motor vehicle accidents among persons who drive when intoxicated with cannabis.

With regard to the workplace, the WorkCover Corporation guidelines for drugs and alcohol in the workplace outline a duty of care, elimination of risk and individual onus on workers to ensure they are not, by use of alcohol or drug, in a state which may endanger the safety of themselves or others. The International Labor Organisation estimates that up to one-quarter of all occupational injuries are related to drug and alcohol use. The Western Australian Industrial Relations Commission published a decision on 19 June 1998 (CR 274 of 1997) in relation to a drug and alcohol program for BHP Iron Ore Pty Ltd. The decision noted a comment by Associate Professor Christie, a pharmacologist and Medical Foundation Fellow, who stated:

The effects of these drugs (cannabinoids) on cognitive function, psychomotor performance and other skilled tasks (such as driving) strongly predict serious adverse effects in the workplace.

In respect of the transport sector, the National Road Transport Commission notes in a document entitled *Medical Standards for Commercial Vehicle Drivers* that marijuana 'may affect driving skills' and 'the habitual use of illicit drugs is incompatible with safe commercial vehicle driving'.

Under Trucksafe, which is a national safety program for accrediting heavy vehicle operators, drivers must pass medical examinations, which include taking a urine sample. If marijuana is detected, the driver is counselled to ensure medical officers are completely satisfied the driver's performance is not going to be affected.

Airlines such as Qantas have a drug policy which clearly states that any of their staff operating an aircraft must not have their capacity to act impaired by drugs or alcohol. TransAdelaide has prepared a draft drug policy which undertakes to 'maintain a drug free working environment' and 'recognises the detrimental effects that drugs have on the safety of the public transport system'.

Taxi drivers suspected of using drugs such as marijuana are asked to appear before the Standards Committee of the Passenger Transport Board and remedial action may be required to ensure the fitness of the driver to perform his or her duties.

Many highly qualified health professionals continue to argue that marijuana, because it is a mind altering drug, changes a user's perception of reality and hence affects all that they do, including driving a car.

The argument is further complicated by a lack of knowledge of the pattern of use of marijuana and proximity of ingestions to the accident. Put simply, any reading of the cannabinoid levels in the blood is affected by how long marijuana has been in the system and how much has been smoked recently.

Given all the issues, opinions and studies it is my intention to ask for further research at a national level to address specifically the relationship between marijuana and driving ability. In my view this research should focus on establishing

levels that equate to impairment when performing tasks requiring skill, vigilance and/or concentration.

I will take this issue to the next meeting of the State and Territory Transport Ministers (the Australian Transport Council), which is to be held in December this year, and will be recommending its reference to a recently established working group under the Austroads Road Safety Strategy Panel which will serve to coordinate national directions for drugs and driving issues. I look forward to further research to clarify the issues raised by the report which is the subject of this ministerial statement.

## QUESTION TIME

### STATE DEBT

**The Hon. CAROLYN PICKLES:** I seek leave to make a brief explanation before directing a question to the Treasurer regarding the Government's commitment to be debt free by 2001.

Leave granted.

**The Hon. CAROLYN PICKLES:** I refer to the Premier's recent pledge to make South Australia debt free by the next State election. The announcement has thus far received some mixed reviews, especially from the Premier's own Party room which is wondering, as are others, how this will be achieved. What additional assets does the Government intend to sell in order to achieve the Premier's public pledge to rid the State of its \$7.5 billion debt by the next election, and will the Treasurer name those assets?

**The Hon. A.J. Redford:** Optima and ETSA.

**The Hon. CAROLYN PICKLES:** I think the Treasurer is perfectly capable of answering the question without your help. Will the Treasurer clarify whether the Government's debt free objective applies to the \$7.5 billion total net public sector debt, as opposed to the non-commercial public sector debt only?

**The Hon. R.I. LUCAS:** I refer the honourable member to the Governor's speech today where the Governor, on behalf of the Premier and the Government, made some specific comments in relation to this issue. I do not have a copy with me, but it contained a specific reference outlining clearly and specifically the Premier's and the Government's commitment in relation to this. I am indebted to my colleague the Hon. Mr Redford who did by way of interjection assist me with my answer. It is a bit rich for the Opposition—for Mike Rann, Carolyn Pickles and others—to be seeking the detail of how we might reach an almost debt free South Australia by the end of this millennium when the single most important mechanism for getting there is the sale of ETSA and Optima.

On the one hand, Carolyn Pickles and Mike Rann oppose the single most important mechanism to reduce significantly the size of the State's debt, namely, the sale of ETSA and Optima, and on the other hand they seek to find out the detail of how the additional elements towards being almost debt free by the end of the millennium might be achieved. The simple answer is that, if the Hon. Carolyn Pickles is prepared to support the Government in this goal of a debt free SA by the end of the millennium, the single most important decision that can be taken by this Parliament is the sale of ETSA and Optima. If you oppose the sale of ETSA and Optima it does not matter what else you talk about—the whole notion of

being almost debt free by the end of the millennium makes no sense at all.

Anyone who has looked at the state of the State's assets will know that unless ETSA and Optima are sold—whether you want to talk about the debt that relates to the non-commercial sector or overall—anybody's goal or objective of being almost debt free is academic if you are not prepared to support the sale of ETSA and Optima. If you want to get into the game of the debate of the elimination of the State's debt that was left to us by the previous Labor Government, you have to be prepared to participate in the process, namely, the sale of ETSA and Optima.

The Government's position was outlined again today. I also refer the honourable member to the Premier's statement of 17 February this year where he referred quite specifically to those assets that the Government was prepared to look at in terms of scoping studies for possible sale. I might say that they did not include SA Water and SA Forests. Those within the Labor Party such as Kevin Foley and others who have been running around saying that this is obviously a secret agenda—announced on the frontpage of the *Advertiser* evidently—to sell SA Water, forests and a whole range of assets not mentioned in the Premier's 17 February statement are, frankly, deluding themselves. I could say something else more colloquial—but, frankly, they are deluding themselves.

**The Hon. R.R. Roberts:** It would be unparliamentary.

**The Hon. R.I. LUCAS:** It would be unparliamentary, and colloquial. The Government, through the Premier, outlined the assets that it was prepared to have a look at. A number of those, which of course include the TAB, the Lotteries Commission and others, are still being considered at the moment. As soon as the Government has determined a position on each of those possible asset sales it will announce its position.

**The Hon. A.J. REDFORD:** As a supplementary question, is the Treasurer aware of rumours that I have heard that the ALP plans to reduce debt through the use of capital gains taxes and death duty options?

**The Hon. R.I. LUCAS:** I thank the Hon. Mr Redford for his slow full toss on the leg stump, having been watching the cricket into the early hours of the morning.

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

**The Hon. R.I. LUCAS:** I might end up like Moin Khan! Certainly, the notion of a capital gains tax and/or death duties has encompassed matters that Federal spokespersons such as Gareth Evans and others have flirted with in recent times. Of course, the capital gains tax was the subject of some debate during the recent Federal election campaign. At this stage I am not privy to the secret tax plans of the Hon. Mr Holloway and Kevin Foley for the next election—

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

**The Hon. R.I. LUCAS:** The Hon. Mr Redford may well be privy to something that I am not. But given that the Hon. Mr Holloway and Kevin Foley have opposed the sale of ETSA and Optima and given that they oppose any expenditure reduction such as school closures, they must have a secret tax plan, which may or may not include the reintroduction of death duties, or a range of other taxation imposts. I am sure that even the Hon. Mr Holloway would be honest enough to accept that if he opposes asset sales and if he opposes expenditure reductions such as the closure of schools, and so on—which he does—he, together with Mr Foley, will have to introduce new taxation measures, perhaps along the lines of death duties or land tax on the principal place of residence, or something akin to Gareth's best

suggestions, in order to balance the budget and to reduce the State's debt.

### GOODS AND SERVICES TAX

**The Hon. P. HOLLOWAY:** Can the Treasurer assure the Council that the Howard Government's GST package will not adversely affect South Australia? What studies has the Government undertaken of the impact of this package on State finances, and will the Treasurer release those studies, as other Governments, including the Western Australian and New South Wales Governments, have already done? Finally, what is the Olsen Government's view on the imposition of a GST on basic foods?

**The Hon. R.I. LUCAS:** The last question is an interesting one about mandates, because the Hon. Mr Holloway stood up in this Chamber during the electricity debate and said that, if we had put the sale of ETSA to an election and got a mandate for it, we would have some authority and he would support the legislation through Parliament. In the Federal arena John Howard put the GST on food to the people and was voted in and given a mandate but the Hon. Mr Holloway and Mike Rann now say that the Federal Government does not have a mandate and that Kim Beazley has a mandate to oppose it. That underlines the hypocrisy of the Hon. Paul Holloway and Mike Rann on this issue, when in the electricity debate—

**The Hon. T.G. Roberts:** It's a good line.

**The Hon. R.I. LUCAS:** It is a good line if you can get away with it. We intend to make sure that the Hon. Mr Holloway does not get away with it, because he had the hide to stand up and say, 'You should have put this to an election.' I can guarantee that if it had put to an election he would be standing up, like the Hon. Mr Elliott, saying, 'Well, you only got 45 per cent,' or 'You just scraped in and we have a mandate to oppose it.' It would have been exactly the same argument that he is now putting about opposing a GST on food. I hope that the hypocrisy of the Labor Party and its spokespersons is apparent to the Hon. Mr Xenophon and to the others in this Chamber in terms of this notion about mandates. I thank the Hon. Mr Holloway for his third question in relation to a GST—

**The Hon. P. Holloway:** Why don't you answer it?

**The Hon. R.I. LUCAS:** Well, the people of Australia have voted; they have given the Government a mandate to introduce the total package. You cannot do any more than John Howard did. Here we have the Labor Party saying that he does not have a mandate. We have the Australian Democrats saying, 'He does not have a mandate; we have a mandate to oppose it.' In every election advertisement, discussion, debate and in Question Time when being questioned on a GST on food he sought a mandate for it, yet in this Chamber the Democrats and the Labor Party say that he does not have a mandate, that he got less than 50 per cent.

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

**The Hon. R.I. LUCAS:** Well, that was the question. In relation to question No.1, the Government of South Australia will be doing everything in its power to ensure that the people of South Australia see a net benefit from the tax reform package. That will be our driving objective in all the discussions which we will have and which have just commenced. There were discussions earlier this week at officer level and there will be discussions on 13 November at the Premiers' Conference. The primary objective of the State Government will be to ensure as best we can that, if the tax reform

package goes ahead, there will be an overall benefit to the people of South Australia from it.

Some initial work has been done in relation to the tax reform package. Until we get the detail from the Commonwealth as to how it believes the GST will be implemented, we are not in a position to make any sensible public contribution about the relative impact on various industries and sectors within South Australia. When we get that detail, we will, of course, engage in public debate with not only the Commonwealth but also others about the impact of the tax reform package.

### KATNOOK GAS TURBINE POWER GENERATION STATION

**The Hon. T.G. ROBERTS:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Industry and Trade, a question about State development in relation to the Boral gas turbine power generation station at Katnook.

Leave granted.

**The Hon. T.G. ROBERTS:** All members have been interested in the broad economic questions that have been formulated by the Federal election and the Governor's speech in relation to potential State development in the next parliamentary period. My questions and the brief explanation are in response to that.

*The South Eastern Times* is a local Millicent paper—Millicent being quite close to the Katnook development.

**The Hon. A.J. Redford:** What date?

**The Hon. T.G. ROBERTS:** Thursday 22 October. The headline is, 'Council defers \$5 million power station decision.' It appears to me that at the time the council made its decision it had some concerns in relation to future employment opportunities and, certainly, it goes against the reply given to me by the Treasurer in response to a question I asked on 25 August about the 'Jobs South-East' document. I think the Government gave me a very good response to the questions I asked. One of my questions was, 'What commitments has the State Government given to ensure that the recommendations outlined in the "Jobs South-East" final draft are implemented?', and the Government's reply was that the State Government is committed to continuing its support for the South-East Economic Development Board through a five year resource agreement that it recently signed with the board and the South-East Local Government Association. I was quite happy with that explanation because it links the hard work that has been done in regional areas to create employment opportunities for people in regional areas, given that the South-East is a relatively rich resource area.

I am certainly not an advocate on behalf of Boral in relation to its application, but it appears to me that the application and the deferment go against the intentions that would be sought by local government and those working for job creation in that area.

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

**The Hon. T.G. ROBERTS:** The honourable member interjects about the emperor in the Wattle Range Council to say that he might want to check it out further—and that is possibly the case. It is possible that not enough information was given, and that leads me to my question. I therefore ask what planning assistance was either asked for or given to Boral to ensure that its development application for the gas turbine generation unit was able to proceed past stage 1 of the process. I thought it might have been a priority of this State

Government to try to get the best possible position in relation to industry development in the South-East.

**The Hon. DIANA LAIDLAW:** I will have to get detailed information for the honourable member in terms of his specific question and bring back a reply.

#### YOUTH ALLOWANCE

In reply to **Hon. CARMEL ZOLLO** (23 July) and answered by letter on 6 October.

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

Concerns regarding the introduction of the Youth Allowance and means testing of parental income for 18 to 20 year olds have been brought to the attention of the Federal Minister for Social Security.

Correspondence dated 24 July 1997 from the Hon David Wotton MP, the then Minister for Family and Community Services, expressed concern regarding the potential for:

- increased pressure on families resulting in parent/child conflict;
- increased levels of homelessness among this population; and
- the potential to exacerbate a range of problems already experienced by unemployed young people, such as youth suicide.

These concerns have been raised with Commonwealth Ministers and officials on several occasions since the announcement of the Allowance in the Federal Budget.

#### RECYCLING

In reply to **Hon. CARMEL ZOLLO** (8 July) and answered by letter on 7 October.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information.

1. Rebates on recyclable materials collected by Local Government are currently being paid to Recycle 2000. The Negotiated Agreement between the State and the Local Government Association which set up Recycle 2000 expires in December this year. A review of Recycle 2000 is to be conducted, and this rebate is one of many options that will be examined as a consequence. There is a differing view amongst councils as to the value of the rebate and whether the funds could best be used in more strategic areas such as planning and coordination and market development. The Minister for Environment and Heritage recently wrote to Councils directly seeking their views on the question of recycling rebates.

2. Visy Industries has advised that subject to resolution of several complex technical and commercial issues, it is hoped that construction can commence at the end of this year. One issue Visy is concerned about is a competitive power supply, a significant business input (as is the case in many other South Australian business's).

3. The use of recycled materials is increasing in South Australia and the Government is supportive of developments. Recent activities in this area include:

- funding by Recycle 2000 of 'green organics' field trials, conducted by the CSIRO using mulch produced from green organic waste;
- development of road base specifications, by Transport SA, which incorporate Recycled Asphalt pavement material; and
- funding by the EPA's Pollution Prevention Fund for projects in the area of plastics and waste tyre recycling and scrap steel recovery.

Further to this DTUPA, DIT and the EPA are working in close liaison to provide support and guidance to industry in the development of initiatives in the processing and use of recycled materials.

The EPA will be conducting a Disposal Based Waste Survey at Adelaide's metropolitan landfills, later this year, to provide a clear picture of the quantity of different materials currently being disposed of. Commercial industrial and building and demolition wastes will be the focus of the survey which will provide an indication of possible future resource recovery and recycling opportunities. Following the gathering of this important information the development of focused strategies for waste reduction, reuse and recycling will be further pursued.

#### WOOD HEATERS

In reply to **Hon. CARMEL ZOLLO** (26 August) and answered by letter on 7 October.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information.

South Australia was instrumental in the development of the Australian Standard AS 4013 relating to emission of particles from wood heaters. The Standard details the method for measuring particulate emissions from domestic slow combustion heating appliances and includes a maximum acceptable emission for particulate matter. More than 90 per cent of current Australian Manufactured models comply.

The working group which developed the Standard also developed model regulations for each jurisdiction to consider.

Amongst other provisions, these model regulations included setting a date after which all appliances manufactured or imported for sale would have to comply with the Standard. However, during the process of seeking their adoption South Australia was given legal opinion to the effect that such controls would contravene the Mutual Recognition Agreement to which most States are party. Any legislation to prohibit the sale or import for sale in South Australia of a non-complying appliance would be flawed and any appeal against the legislation would probably be successful.

The only course of action available under that interpretation was to prohibit the use of non-complying appliances rather than their supply, meaning that the public could buy a non-complying heater but find its use illegal. This would be an unsatisfactory situation which in the interests of natural justice could not be pursued.

The matter of legally adopting the Standard is under negotiation with all other Australian jurisdictions in a national forum, to explore means of acting in concert and thereby comply with the Mutual Recognition Agreement.

It should be noted that State-wide mandatory replacement of existing appliances in homes has not been contemplated to date in South Australia. The approach taken has been to require manufacturers and suppliers to provide the market with better appliances which release less pollution and heat homes with better efficiency. In time these units will replace the older heaters to achieve the overall improvement sought.

#### YEAR 2000 COMPLIANCE

In reply to **Hon. CARMEL ZOLLO** (4 August) and answered by letter on 7 October.

**The Hon. DIANA LAIDLAW:** I provide the following information regarding Year 2000 compliance of the Southern Expressway Traffic Management System and traffic signals in the City of Adelaide.

The contractor for the Southern Expressway Traffic Management System has stated that the system, including control systems and boom gates, are Year 2000 compliant.

In addition, I refer to the article in *The Advertiser* on 1 August 1998, alleging that the then Minister for Information Services, Hon Wayne Matthew MP, had stated that the traffic lights, control systems and boom gates for the Southern Expressway will require repairs to ensure they are Year 2000 compliant. Minister Matthew has written to me to advise that he did not make such a statement.

With regard to the traffic signal system maintained by the Corporation of the City of Adelaide, I have been advised that it is not currently Year 2000 compliant. However, Council has established a committee to address Year 2000 compliance for all of its systems and expects its traffic signals system to be fully compliant by mid 1999.

#### DEVELOPMENT ACT

In reply to **Hon. T.G. ROBERTS** (26 August) and answered by letter on 13 October.

**The Hon. DIANA LAIDLAW:** I provide the following information regarding the role of the Tea Tree Gully Development Plan and its application to the recent extensions to Tea Tree Plaza by Westfield Corporation.

As advised in my Ministerial Statement on 26 August 1998, I have commissioned Ms Bronwyn Halliday to assess the performance and administration of the Development Act, through a detailed survey for customers using the development system established under the Development Act 1993. It is clear we need to be confident as a community that the Development Act is delivering a process which results in good planning and development activity across the State.

The Development Act requires that planning authorities have regard to the relevant Development Plan and not make decisions which are seriously at variance. There has been considerable court interpretation of the term seriously at variance. What this means is

that planning authorities can not lawfully make decisions which are fundamentally and clearly contrary to what is being sought in a Development Plan. For example in most cases a major industry would be seriously at variance in a residential zone. Once the planning authority has determined an application is not seriously at variance, it must then make its decision having regard to the provisions of the Development Plan. On many occasions there will be a need to balance competing objectives.

In the Tea Tree Gully example mentioned in the question, there is the need to balance the competing aims of the Development Plan in accommodating retail facilities in a Regional Centre zone, while at the same time providing adequate parking and traffic circulation and reasonably protecting the amenity of nearby housing outside the zone.

It is also important to note that draft Development Plan amendments (Plan Amendment Reports) are not relevant to these decisions. In order to protect certainty, only the legally authorised Development Plan or authorised amendments to the Development Plan can be considered relevant to decisions on development applications.

Accordingly the answers to the specific questions are as follows:

1. Development Plans are legal documents created under the Development Act and planning authorities are legally bound to have regard to them and not make decisions which are seriously at variance.

2. In making planning decisions the relevant authority must comply with the principles of the Development Plan to the extent a decision is not seriously at variance. However, there will often be a need to compromise on detailed provisions to achieve an appropriate balance where there are competing objectives.

3. The review of the Act that I have announced will examine customer satisfaction with the effectiveness of the Development Act system and I am sure will address the broad issues raised in the honourable member's question.

### VICTORIA SQUARE

In reply to **Hon. T.G. ROBERTS** (18 August) and answered by letter on 12 October.

**The Hon. DIANA LAIDLAW:** The Minister for Aboriginal Affairs has provided the following information.

The Government recognises the problems of alcohol abuse and associated antisocial behaviours. It has a commitment to addressing these problems through systemic means rather than use of short term band-aid measures. The use of strategic alliances provides a means of providing practical solutions rather than merely producing 'another report' for the Minister.

A joint agency approach is being used to address matters related to alcohol consumption and consequent behaviours. The Adelaide City Council has not only been kept informed of progress, but has been actively involved in guiding, and contributing to, the process. This demonstrates a more positive attitude, where the Adelaide City Council has previously opposed Government proposals.

The following is an outline of the strategy which has been implemented.

- A scoping paper on Aboriginal services for the Central Business District of Adelaide has been prepared.
- The paper proposes a three part project consisting of—
  - documentation of historical approaches, the range of services, funding sources and other resources available in the CBD, including information on related services elsewhere;
  - analysis of services, and identification of gaps and needs for linkages and realignment of services; and
  - realignment of services to be more coordinated, and targeted, to meet needs.
- A Project Officer has been appointed for a period up to 18 months to carry out the tasks outlined in the scoping paper.
- The Officer has begun examining services currently provided by the Department of Human Services to address more efficient and effective ways of delivering these services.
- The Officer has also undertaken work at the Division of State Aboriginal Affairs to research earlier efforts to address concerns raised in respect to Victoria Square and initiatives proposed by the agency and Aboriginal community.
- The process is guided by a consultative committee, including a representative of the division of State Aboriginal Affairs.
- Strategies will be developed from this work for the short term ie. three months and longer term.

- The Department of Human Services has indicated that constraints are imposed by the need for coordination of funding cycles in the process of realigning services.
- DOSAA is currently hosting a University of Adelaide Intern who is developing a guide for local Government to establishing alternative and ancillary strategies to dry areas as part of his research topic.
- The results of this approach will be a combination of immediate measures to bring the problems into control, long term strategies to address causative factors, and provision of support for any local Government body in dealing with the emergence of similar problems.

### STURT HIGHWAY

In reply to **Hon. T.G. ROBERTS** (25 August) and answered by letter on 15 September.

**The Hon. DIANA LAIDLAW:** Prior to construction of the Sturt Highway, the white guide posts that were on the old highway were removed and stockpiled. Those that are suitable will be reused on the new highway—and new posts will also be added to maintain safety standards.

### SCHOOL ZONES

In reply to **Hon. R.R. ROBERTS** (20 August) and answered by letter on 10 October.

**The Hon. DIANA LAIDLAW:**

1. There is a pedestrian actuated crossing on Prospect Road directly in front of Blackfriars College. Zigzag road markings are not marked at these facilities. Zigzag road markings are only placed at school zones where the following signs have been erected '25 km/h when children present'.

Further along Prospect Road approximately 200 metres north of the pedestrian actuated crossing, Pebbles Child Care Centre is located on the west side of the road at Clifton Street. No specific warning signs are erected for the Child Care Centre as most of the activity associated with the Centre occurs in Clifton Street. The Road Traffic Act does not provide for school zones (and zigzag road markings) to be erected at Child Care Centres.

Further north (approximately 50 metres from the Child Care Centre) is St Helens Park. 'Children' warning signs are erected on Prospect Road on both approaches to this Park and one of the 'Children' warning signs is located on the footpath next to the Centre.

2. I have been advised that the street to which you refer is Te Anau Avenue.

With regard to Blackfriars College, Prospect Council is responsible for the care, control and management of Te Anau Avenue and Highbury Street. The need for a school zone to cover the entrance to Blackfriars College in Te Anau Avenue would be a matter for Council to consider as I have granted all Councils general approval to install school zone signs if they are considered necessary.

In this regard, discussions have taken place between Transport SA and the Prospect Council. Council's works supervisor has advised that there is no history of concern from the College for the need for a school zone in Te Anau Avenue. Council would consider a school zone for Te Anau Avenue should a request be received from the College.

3. The Road Traffic Act provides that school zones can be installed at private and public schools and kindergartens where they are warranted.

4. The road authority and individual school concerned determine whether a school zone is necessary for a particular school.

5. No. As mentioned previously, school zones are not installed at every school, only at schools where they are warranted. If a need is identified for a school zone for Blackfriars Catholic College in Te Anau Avenue, the matter should be referred to Prospect Council.

### SCHOOL BUSES

In reply to **Hon. R.R. ROBERTS** (25 August) and answered by letter on 12 October.

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

1. It was recently announced that in 1999 a new trial will be undertaken into the feasibility and effectiveness of fitting air-conditioning to country school buses used in areas subject to high summer temperatures. For the purposes of this trial, three areas of

the State subject to temperatures over 35 degrees Celsius on at least 25 days will be selected, and the effectiveness of the air-conditioning monitored. The results of this trial will also be compared to trials involving window-tinting and local management strategies such as parking buses in the shade.

2. The Department currently owns one air-conditioned small bus, which was especially provided for an air-conditioning trial at Roxby Downs and later moved due to decreased student numbers. School bus contractors are not required to provide or operate air-conditioned school buses, however, 15 out of 304 buses provided for school contract work are fitted with air-conditioning. Private operators also use these buses for charter work. All school buses are fitted with some form of ventilation and have sliding windows throughout the bus.

3. Department operated school buses have not had air-conditioning units removed.

4. Until the trial is completed, the Minister for Education, Children's Services and Training cannot give any guarantee that all future contracts for the provision of school bus services will have a requirement for air-conditioned vehicles.

### HIRE CARS

In reply to **Hon. R.R. ROBERTS** (28 May and 3 June) and answered by letter on 10 September.

**The Hon. DIANA LAIDLAW:** I provide the following information in response to the honourable member's Question Without Notice asked on 28 May 1998 and contribution to the Matters of Interest debate on 3 June 1998 regarding the hire car industry.

The honourable member raised concern over one aspect of regulation No. 8 of 1998 which came into effect on 1 February 1998. These amendments, which have since been approved by the Legislative Review Committee, introduced major reforms touching on all aspects of passenger transport operations within South Australia including large passenger vehicles (bus and coach), small passenger vehicles (chauffeured vehicles) and taxis. The reforms were designed, in part, to establish certainty and understanding for operators and consumers about expected minimum standards of service provision.

The amendments to the regulations were developed during a six month moratorium period that commenced on 31 July 1997. During this period the Passenger Transport Board (PTB) consulted broadly with all sectors of the passenger transport industry including representatives of the small passenger vehicle services. These operators were invited to provide submissions to the PTB for consideration—and many did so. The outcome reflected much of the information provided by operators, balanced with consumer research and experience from interstate regulators. General feedback from the small passenger vehicle operators has supported the changes.

The reforms were endorsed by the Licensed Chauffeured Vehicle Association.

For the following reasons I do not intend, as the Honourable Member has requested, to suggest that the PTB include manufactured luxury cars in the category of small passenger vehicle (traditional) and small passenger vehicle (metropolitan) especially in relation to the Mitsubishi product and the Holden Calais.

Generally, the industry appreciates that the whole basis of the new provisions relating to small passenger vehicles and taxis is to differentiate in the public's mind between the two methods of transport.

The public has always regarded hire cars (SPV's) as a superior form of transport ie. suitable for weddings, funerals, Barossa tours and the like, as well as point to point work in competition with taxis. To provide these services with proper regard to public comfort and safety, bearing in mind the space requirements for brides, tour parties and the like, it is imperative that the vehicles are equipped with enough room in the back seats to accommodate three adults in comfort and provide adequate leg room.

The PTB determined that the best means of ensuring this higher standard for small passenger vehicles was to require a minimum wheelbase (2.8m). There may well be that some vehicles of lesser wheelbase may satisfy one of the above requirements, but certainly not both.

I understand that it would not be possible to depart from the wheelbase limit and construct regulations based on luxury appointments because any amendments to the regulations would not deliver the 'limousine' space requirements needed to provide the

public service and comfort expected from hire cars, whether they be in competition with the taxi industry or otherwise.

The 2.8m wheelbase is a readily identifiable standard for operators, which has already been embraced by operators in the marketplace. The taxi industry and the Chauffeured Vehicle Association (formerly LCVA) supports the 2.8m minimum wheelbase standard as an indicator of the different levels of service between hire cars and taxis. The 2.8m wheelbase requirement is also a requirement for small passenger vehicles in Victoria. It denotes a larger vehicle with maximum passenger space specifically leg room in rear seating areas and defines a basic difference between standard model based vehicles and larger luxury models. Vehicles in the 2.8m wheelbase category are promoted as having high levels of passenger comfort.

In evaluating a vehicle for an exemption from the 2.8m wheelbase requirement, the PTB considers general acceptance of the vehicles for public passenger usage by both operators and consumers. It should be noted that the Mitsubishi Verada and Magna range have not had significant use as public passenger vehicles in the past and have only limited application in the taxi industry. Mitsubishi is represented among small passenger vehicles by their 4 Wheel Drive, Pajero and Starwagon range of vehicles.

Mitsubishi do not have any concerns with the numbers of these vehicles within the small passenger vehicle industry.

Both the PTB and representatives of this diverse industry report that the reforms embraced by the Passenger Transport (General) Regulations, relating to vehicle standards are working well.

### TRANSPORT, PUBLIC

In reply to **Hon. CAROLYN PICKLES** (3 June) and answered by letter on 12 October.

**The Hon. DIANA LAIDLAW:** The latest patronage figures show that the number of journeys for 1997-98 was down 1.7 per cent on the figure for 1996-97. This was reasonably consistent across all modes. The following tabulation shows initial journeys by mode for both periods.

Period	Total Journeys by Mode			
	Bus (m)	Train (m)	Tram (m)	Total (m)
1996-97	35,198	8,165	1,515	44,877
1997-98	34,616	7,983	1,497	44,096
% Difference	-1.7	-2.2	-1.1	-1.7

The Passenger Transport Board has initiated a six point plan to address this decline in patronage—

1. Increase in Fare Compliance
2. Improved Information
3. Service Design
4. Promotions
5. Infrastructure
6. Education

Passengers who travel by train will have observed the increased emphasis on fare compliance as evidenced by the increased number of ticket checks taking place. The remaining points of the plan are being progressively implemented.

### ABORIGINAL BURIAL SITE

In reply to **Hon. SANDRA KANCK** (13 August) and answered by letter on 16 September.

**The Hon. DIANA LAIDLAW:** The Minister for Aboriginal Affairs has provided the following information.

1. A complaint was received in 1996 about visitations to Aboriginal sites in the Marks Point/Cattle Point area from a person who had not seen the area but was passing on the concern from a third unidentified party.

2. The land managers of the area have indicated a commitment to conserve the site and to manage visitor traffic away from significant Aboriginal heritage areas.

### CONSERVATION PARKS

In reply to **Hon. P. HOLLOWAY** (26 August) and answered by letter on 14 October.

**The Hon. DIANA LAIDLAW:** The Minister for Environment and Heritage has provided the following information regarding land adjoining existing conservation parks in the South-East.

The Minister for Environment and Heritage has advised that this issue has moved forward substantially since the honourable member's question was raised, and as a result much of that question is now not relevant to the current situation.

As the honourable member indicated in his question, a large degree of consultation has occurred between the Department for Environment and Heritage and the people of the South-East. A meeting held recently, in Millicent, on 25 August attracted significant interest from the local community. The meeting was specifically held to exchange views with local people who have an interest in, or view of, management of beaches within the South-East.

The Minister for Environment and Heritage has been advised that the public meeting demonstrated solid support for the status quo on foreshores to remain, that is, with local government continuing to be responsible for beaches adjacent to conservation parks which have the high water as their boundary.

The Minister for Environment and Heritage has considered the views expressed at the meeting and has recently sought the position of the local Wattle Range Council on this issue. In seeking the Council's position, the Minister for Environment and Heritage advocated the status quo, that management responsibility be maintained by local councils.

Given these recent developments, the Minister for Environment and Heritage would suggest that there will be no impact on local beach users, subject to Council's anticipated favourable response.

### URBAN SPRAWL

In reply to **Hon. M.J. ELLIOTT** (18 August) and answered by letter on 14 September.

**The Hon. DIANA LAIDLAW:** I provide the following information on how the Planning Strategy and urban regeneration policies address concerns about urban sprawl.

#### Urban Sprawl

##### Trends & Concerns

- Adelaide is experiencing low population growth and an ageing population.
- Changing household structures are resulting in declining numbers of people living in some inner and middle ring suburbs.
- The metropolitan fringe and hills areas continue to attract a significant proportion of young families.
- Continued urban expansion directly impacts on infrastructure costs for Government and the community.
- Urban expansion also contributes to environmental degradation and the encroachment of residential development on productive agricultural land and industrial areas.
- While fringe housing remains more affordable, the cost of increasing urban expansion will be felt in commuting times, reliance on private transport, access to services and facilities and investment by Government to infrastructure provision.
- Given the overall decline in housing construction recently, the latest survey on demolitions from redevelopment indicates a higher than anticipated level of activity happening within inner and middle ring suburbs.
- Much of the recently identified surplus Government owned land is strategically placed in the middle ring suburbs of Adelaide. Its availability and development is offering greater housing location and choice, thereby reducing demand for expansion of the metropolitan fringes.

#### Government Initiatives to Contain Urban Sprawl

##### The Metropolitan Planning Strategy

The Metropolitan Section of the Planning Strategy (January 1998) places greater emphasis on urban regeneration as a means of dealing with the adverse implications of urban sprawl. Specifically the new Planning Strategy seeks to reduce the demand for expansion of new housing areas, and increase housing choice by continuing to encourage development in middle ring suburbs and the city centre, including—

- Accommodating growth and infrastructure within the built-up Adelaide areas and the confines of urban townships and slowing fringe growth.
- Encouraging greater housing choice mainly in the middle ring of suburbs over the next five years.
- Regenerating inner metropolitan residential areas.
- Undertaking comprehensive urban renewal to improve the quality of the urban environment in areas of disadvantage and poor residential amenity or environmental quality.
- Linking housing and environmental improvement to opportunities for education, employment, social and cultural development.
- Making sure that living areas have access to work, services and facilities.
- Encouraging more houses to be built in the City of Adelaide.

- Undertaking urban infill development on surplus and under-used sites and dispersed among established dwellings, particularly around transport nodes and centres.
- Giving greater priority to the South Australian Housing Trust's redevelopment program.
- Redeveloping public housing areas to integrate them with adjoining communities.

#### The Mount Lofty Ranges Regional Strategy

The Planning Strategy for the Mount Lofty Ranges (1994) clearly states that—

- There should be no expansion of township boundaries in the Watershed, except to incorporate existing fringe urban development; and
- Expansion of towns outside of the Watershed needs to be based on the protection of agricultural land, mineral resources, native vegetation, environmental and rural character and the economic provision of infrastructure, including connection to a sewerage or Common Effluent Drainage scheme.

With regard to townships within the Watershed, I am not aware of any township boundaries which have been expanded since the introduction of the Strategy in 1994. There have, however, been a small number of PARs affecting township boundaries outside the Watershed. In all cases, the limited expansion of these boundaries was assessed against the Strategy.

#### Urban Regeneration

A Green Paper on Urban Regeneration will be released later this year for the purpose of discussion and debate on all the complex issues. The Government's goal is to develop a 'thematic' set of priorities and an agenda for action in relation to existing activities as well as proposals for new projects. This approach will guide agencies within the context of their respective mainstream policies and spending programs—and will directly assist the process of identifying gaps in provision and establishing new opportunities for action. The Green Paper and subsequent actions will complement recent housing initiatives which have delivered urban regeneration outcomes such as the Inner West Program, Northfield, Glenelg/West Beach, Mawson Lakes, City of Adelaide projects, and a large number of SA Housing Trust and private projects throughout the middle ring suburbs.

### COASTAL DEVELOPMENT

In reply to **Hon. M.J. ELLIOTT** (8 July) and answered by letter on 14 September.

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

1. I am aware that I have previously explained that the Department of Environment Heritage and Aboriginal Affairs (DEHAA) is supporting the selective narrowing of the coastal zone in order to ensure that the zone does not include less environmentally sensitive land that is more appropriately located within a general rural zone.

In the Mount Lofty Ranges Region, all rural zones (both within the Watershed and Primary Production areas) are governed by very strict land division controls that prevent the creation of any new allotments and allow boundary adjustment only where it is required in order to facilitate primary production. There are also comprehensive controls over the design and siting of dwellings which aim to reduce visual impact.

Therefore, any selective narrowing of the coastal zone in the Ranges cannot result in any further allotments being created, or a proliferation of prominently visible dwellings in the zone.

In order to reinforce the prevention of 'ribbon development' along the coast I have asked Planning SA to raise the following matters with DEHAA and local Councils in the context of any proposed amendments to the provisions for the coastal zone and the adjacent rural zones—

- that boundary adjustments do not result in a 'ribbon' pattern of allotments along the coast; and
- that current provisions which control the design and siting of dwellings are maintained, including minimum setbacks from the coast.

Planning SA will also liaise with DEHAA and local Councils to seek the inclusion of important scenic amenity areas within the coastal zone, as well as areas of environmental sensitivity such as dunes and foreshore.

2. As long as the provisions applying to the Coastal Zone and to the adjacent rural zones contain appropriate principles aimed at preserving sensitive coastal environments and processes, I do not foresee the need for a specific 'coastal fringe' zone as suggested by the honourable member.

However, I have asked Planning SA to liaise with DEHAA, to consider this issue in the forthcoming review of the southern Fleurieu component of the Planning Strategy for the Mount Lofty Ranges, and advise me further in due course.

### CARBON CREDITS

In reply to **Hon. M.J. ELLIOTT** (5 August) and answered by letter on 7 October.

**The Hon. DIANA LAIDLAW:** The Minister for Government Enterprises has provided the following information:

The Minister for Government Enterprises has advised that the Government is aware of the possible opportunities, both economic and environmental, that greenhouse gas emission trading can bring to this State.

While there has been significant interest relating to carbon sinks in forests and their possible contribution to Australia's emission reduction efforts under the Kyoto Protocol, the potential for these sinks to be used in any domestic or international emission trading regime requires the resolution of several key issues.

Since emissions trading was included in the Kyoto Protocol as one of the international mechanisms by which emissions can be limited, forests have been recognised as a likely major source of carbon credits. As forests provide measurable carbon sinks, tradeable credits could be issued according to the amount of absorption and then sold to emission sources to offset their emissions. However, there is a significant amount of work that needs to be done to determine how to measure and account for carbon absorbed and stored in forests and harvested products.

As yet, there is also no agreed legal framework as to how carbon credits might be assigned, either domestically or internationally. To achieve this, further international negotiations will be required and it is, therefore, unlikely that such a framework will be agreed upon for some time.

The current initiatives being highlighted both here and overseas seem to be speculative at this stage, and much will depend on the emissions trading framework that is eventually adopted.

South Australia is already working with the Commonwealth on greenhouse issues to ensure that the potential economic and environmental benefits arising out of the Kyoto Protocol are realised. Fora for these discussions include the Ministerial Council on Forestry, Fisheries and Aquaculture and the Standing Committee on Forestry.

The Standing Committee on Forestry is proposing to undertake work on the implementation of forestry-related activities under the National Greenhouse Strategy, in conjunction with the Australian Greenhouse Office, the lead Commonwealth agency on greenhouse matters.

The Australian Greenhouse Office is currently developing methodologies and procedures to measure and verify the carbon sequestered in forests established since 1990, as part of the work arising out of the Kyoto Protocol. This work will also include estimates of carbon stored in harvested products and processes for regulating the potential trade in carbon.

In concluding, this issue is complex and will require extensive negotiations before appropriate and legally binding arrangements are put into place. Therefore, while there are potential significant opportunities for carbon credits to be obtained from forestry-related activities, until the details and legal framework are established, such benefits are speculative.

### TRANSPORT FARES

In reply to **Hon. T.G. CAMERON** (22 July) and answered by letter on 12 October.

**The Hon. DIANA LAIDLAW:**

1. The Passenger Transport Board (PTB) calculation on the impact of the fare increase on patronage was for a 2 per cent decline.

2. Metroticket patronage in July was recorded as 4.7 million boardings.

The PTB has initiated a six point plan to address the decline in patronage—

1. Increase in Fare Compliance
2. Improved Information
3. Service Design
4. Promotions
5. Infrastructure
6. Education

Passengers who travel by train will have observed the increased emphasis on fare compliance as evidenced by the increased number of ticket checks taking place. The remaining points of the plan are being progressively implemented.

### MOTOR VEHICLE EMISSIONS

In reply to **Hon. SANDRA KANCK** (4 August) and answered by letter on 6 September.

**The Hon. DIANA LAIDLAW:**

1. The contribution of vehicle emissions to premature death rates is difficult to determine. Preliminary results from a study by the Victorian Environmental Protection Authority (EPA), suggest that in Melbourne approximately 250 to 300 deaths result from vehicular air pollution each year. In comparison, data from the Federal Office of Road Safety show that the average annual death rate resulting from road crashes in Melbourne in the period 1993, 1994 and 1995 (the latest available statistics) was 206.

Road fatality statistics for the Adelaide Statistical Division (SA total) are as follows:

1994	75	(163)
1995	78	(182)
1996	73	(181)
1997	55	(149)

Reliable statistics for deaths from vehicle related pollution do not exist. Transport SA is only aware of two published studies relating to Australia—

(1) Air Pollution and Daily Mortality in Sydney 1989-93.

(2) Mortality and Air Pollution in the Western Metropolitan Region 1969-1986, Victorian Health & Community Services Department and Victorian EPA.

Of the studies, the first concluded that current levels of air pollution in Sydney are associated with daily mortality, while the second concluded that death rates for respirable disease showed only a slight variation with air pollution and that this link may have been a casual one. The first study also pointed out that it is impossible to know whether premature death meant the loss of days, months or years of life.

In short, there is insufficient data to support the comparison that Professor Davies has made between road traffic fatalities and deaths caused by vehicle pollutants.

2. Vehicle emission standards are set in the Australian Design Rules (ADRs) which apply to all motor vehicles in Australia. There are separate ADRs for petrol and diesel engined vehicles.

The ADRs for petrol engines limit the amount of carbon monoxide, oxides of nitrogen and hydrocarbons that may be emitted.

The ADRs for diesel engines limit the same substance and also limit the amount of particulates (matter in the form of small particles).

Carbon monoxide, oxides of nitrogen and particulates are produced when fuel is burnt in an engine. Hydrocarbons are essentially unburnt fuel. They get into the atmosphere as unburnt fuel and by evaporation from vehicle fuel systems and evaporation when filling vehicle fuel tanks.

Smoke (visible particulates) is also controlled by South Australian State legislation.

The ADRs are updated frequently. For instance, the ADR dealing with petrol engines, introduced in 1972, was either revised or replaced in 1974, 1976, 1982, 1983, 1986, 1988 and 1997 (an average of once every 3.5 years).

3. Transport SA is taking part, together with the EPA and the Police, in the Smoky Vehicles Program—a campaign to persuade owners of smoky vehicles to repair their vehicles. An advisory letter is sent to the owner of any vehicle observed emitting excessive smoke, requesting that the necessary repairs be undertaken. The vehicle is not stopped at any stage. If the vehicle is observed again the report is referred to the police for further action, which may include issuing a defect notice.

The latest figures available to Transport SA indicate that there have been over 1120 reports of smoky vehicles since the program commenced in April 1996. Of the people who received letters from the EPA approximately 35 per cent of diesel owners and 24 per cent of petrol owners have responded stating that they have repaired their vehicle.

Both the Police and Transport SA defect vehicles for excessive smoke. A breakdown of defect numbers into separate categories is not available.

4. Although it is true that an obviously smoky vehicle is an excessive polluter, it is also a fact that many gross polluters do not emit smoke and therefore cannot be detected by visual observation.

At present Adelaide, which has fewer vehicles and lower traffic densities than either Sydney or Melbourne, does not have a serious air pollution problem.

However, the Government is constantly reviewing the situation. As well as contributing to the Australian Design Rule reviews mentioned earlier, Transport SA and the EPA are co-operating in examining ways to check the emissions performance of South Australia's vehicle fleet.

Transport SA is at present reviewing how Environment and Transport agencies interstate deal with polluting and noisy vehicles. This will assist in selecting the most appropriate methods for South Australia.

In reply to **Hon. L.H. DAVIS** (4 August) and answered by letter on 6 September 1998.

**The Hon. DIANA LAIDLAW:** I provide the following information in response to the honourable member's supplementary Question Without Notice.

The use of catalytic converters has no effect on the amount of carbon emitted by vehicles. Catalytic converters do reduce the amount of carbon monoxide and hydrocarbons emitted (as well as oxides of nitrogen).

The amount of carbon emitted is in direct proportion to the fuel used. Due to advances in engine technology the fuel economy of cars has improved in recent years. This has resulted in a reduction in carbon emitted per vehicle kilometre travelled.

In Melbourne there has been a steady improvement in air quality over the last 10 years. This is largely attributed to improvements in vehicle emission control technology, particularly those emissions reduced through the use of catalytic converters. In particular, there have been decreases in lead and ozone levels and in the number of days when visibility standards have been exceeded (in other words there has been a reduction in smog levels). Similar trends have been observed in other Australian capitals.

In Adelaide, EPA air monitoring data for the Adelaide air-shed has shown a considerable improvement in air quality over the last decade.

Unfortunately, the predicted increase in the number of vehicle kilometres travelled will reverse this trend within the next five to ten years unless further measures are taken.

This is the most important reason for the major review of the emission control ADR mentioned above.

#### TAILEM BEND-PINNAROO RAILWAY LINE

In reply to **Hon. J.S.L. DAWKINS:** (2 September) and answered by letter on 7 October 1998.

**The Hon. DIANA LAIDLAW:**

With regard to the number of local people employed, I have been advised that there are 160 people employed over different stages of this project. 119 people are from the local areas, while the other 41 people are generally from the Adelaide area.

In reply to **Hon. T.G. ROBERTS** (2 September) and answered by letter on 7 October 1998.

**The Hon. DIANA LAIDLAW:** The sleepers are not made locally; they are supplied from River Red Gum forests in NSW.

#### COMMUNITY BENEFIT SA

In reply to **Hon. NICK XENOPHON** (27 May) and answered by letter on 9 September 1998.

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

1. No.

2. The Community Benefit SA Fund has received 1572 requests for funding from community organisations during its five rounds since the inception of the fund in November 1996.

Of these requests, 547 applications have been approved for funding totalling \$5.73 million.

The detail of funding to individual community organisations for Rounds 1 to 3 is available in the 1996-97 Annual Report which was distributed to Members of Parliament and the public last year.

One-off fundraising projects have been allocated \$642 670, at an average of \$18 900 per project, for the purpose of assisting agencies to develop long term fundraising strategies to generate additional

revenue. Most of the major charitable organisations have taken advantage of this funding.

3. To enhance assistance provided to charitable organisations, the Board this year introduced a Special Grants Provision. A total of \$600 000 has been made available for special grants from the annual Treasury allocation of \$3 million, and applies to charitable organisations where—

- demand demonstrably exceeds their capacity to fundraise;
- the project clearly supports high priority community services;
- the outcomes increase or improve service delivery.

These special grants are targeted specifically at not-for-profit organisations engaged in the provision of support services to people in need through disability or disadvantage, generally other than poverty or other welfare requirements.

The special grants allow agencies to apply for sums up to a maximum of \$75 000 in addition to the \$25 000 ceiling applied to the normal grants awarded by the board.

In Round 5, 15 projects for special grants were funded for a total of \$600 190 by the board. Of the major charities, Red Cross, Wheelchair Sports Association, Blind Welfare and Multiple Sclerosis Society each received \$30 000.

The Minister for Human Services is having discussions with the board in relation to the guidelines and assessment criteria for special grants for charities.

#### GORGE ROAD

In reply to **Hon. CARMEL ZOLLO** (19 August) and answered by letter on 6 September.

**The Hon. DIANA LAIDLAW:** Transport SA has looked at a number of options to make improvements to Gorge Road, particularly relating to safety, which cater for all road users, including cyclists, pedestrians and motorists.

Among the treatments proposed are—

- A flush (painted) median which would reduce the road to one lane in each direction but provide a storage area for vehicles waiting to perform a right hand turn, as well as a centre of the road refuge for pedestrians crossing the road. An existing raised median exists between Lower North East Road and Rasheed Road.
- A pedestrian refuge east of Manresa Court (near St Ignatius College).
- Provision for bicycle lanes which would operate between 7.30 a.m. and 9 a.m. and 3 p.m. and 6 p.m. It is proposed that the bicycle lanes be marked from Lower North East Road east along Gorge Road.

The design for the pedestrian refuge was first forwarded to the City of Campbelltown in June 1998. This design was subsequently amended in consultation with Council and the revised design is now with Council for comment.

However, there are several issues still to be resolved with Council, such as parking restrictions, before implementation of the scheme can proceed. I assure the honourable member that Transport SA will continue to consult with all affected parties in an effort to reach an acceptable solution.

#### GREEN TRIANGLE COASTAL ROAD

In reply to **Hon. T.G. ROBERTS** (20 August) and answered by letter on 15 September 1998.

**The Hon. DIANA LAIDLAW:** Transport SA has advised that in relation to this matter, it has contacted the South East Economic Development Board and is currently exploring ways of jointly developing a Transport Strategy for the South East.

#### RIVERLAND AIR SERVICES

**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 withdrawal of airline services through Renmark.

Leave granted.

**The Hon. J.S.L. DAWKINS:** Recently Qantas Airlines made a decision to divest its subsidiaries of small aircraft. This has resulted in Southern Australia Airlines, a Qantas subsidiary, withdrawing from the Adelaide-Renmark-Mildura

route. I know that the Hon. Terry Roberts has some interest in this matter, as he recently used that service prior to the change. The route from Adelaide to Mildura has been taken up by O'Connor Airlines. However, this airline operates an aircraft which renders uneconomic continued inclusion of the Renmark stopover. I am aware that there has been considerable community concern in the Riverland over the loss to the region of this commercial service, which provided a link to both Adelaide and the Eastern States.

I have also noted a report in the 23 October edition of the *Murray Pioneer* newspaper which refers to the plans of a Waikerie based air charter business to fill this void by offering a twice daily Adelaide-Waikerie-Renmark service. Will the Minister indicate whether Transport SA has taken any role in assisting this potential operator and any others to assess the viability of a dedicated Adelaide-Renmark return service?

**The Hon. DIANA LAIDLAW:** I thank the honourable member for his question. He raised the matter with me before I and other Cabinet colleagues visited the Riverland area a few weeks ago, alerting me to the level of agitation in the community about the withdrawal of the air service. I was pleased to get such a warning, as wherever I went people asked how the Government might be able to assist in seeking another operator, because it was argued the services were valuable to the community, particularly for medical specialists and the like. This point has since been raised with me again by the Waikerie Ladies Hospital Guild.

I was pleased to note in the *Murray Pioneer* of 23 October the article to which the honourable member refers regarding the interest from Winair Waikerie. I understand that the local council has met to give its support to this bid by Winair to commence twice daily return services. However, I would highlight that Transport SA has been speaking to a number of operators, and whether they include Winair I am not sure, but certainly a number of people have had their plans canvassed before Transport SA, and we will continue with that.

In such negotiations we would insist that the service be commercially viable, and this is a real challenge to the Riverland generally. The service has been attracting on average only about five to six passengers a day, and that makes it difficult to sustain a daily service.

**An honourable member:** A daily service?

**The Hon. DIANA LAIDLAW:** To be practical it must operate in the morning and again in the afternoon, and on a daily basis if that can be encouraged. I understand that Winair is promoting such a service and, as I mentioned, there are others. Transport SA has been able to alert me that all the people to whom it has been speaking believe that they can lift that average number of passengers from five or six a day by energetic marketing at a more sustainable level. They would do this by highlighting the tourism strengths of the Riverland and daily air travel, just as people have done successfully with day trips to Kangaroo Island.

The Riverland has not been promoted in that way before, and Transport SA informs me that this is the focus of proposals about which it is aware. I would highlight that getting medical and other critical health services to the Riverland cannot be sustained without added functions such as a stronger focus on tourism.

Ultimately, the return of a daily service, preferably in the morning and afternoon, will also depend on the amount of support that the Riverland community will give the service. I suggest that to rely merely on health specialists or tourism

will not be sufficient in the longer term. If an operator does come forward and is keen to operate, I would urge the Riverland community to look at using and supporting the service, because they have only now recognised that the loss of the service is a real handicap to the Riverland. Perhaps, if and when a new service is provided, they will support that operator.

#### SCHOOLS, TERM FOUR

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Treasurer representing the Minister for Education, Children's Services and Training a question about end of year arrangements for South Australian schools.

Leave granted.

**The Hon. M.J. ELLIOTT:** Last month the Education Minister wrote to me, as I suspect he did to all members of Parliament, advising about changes to the operating days of our State schools and preschools. The changes involve the reduction in days that our schools will now operate at the end of the year. Students will now finish on Wednesday 16 December 1998, two days prior to the originally anticipated school year end. I also understand that next year it is quite likely that there will be a week's reduction. Regarding 1998, the Minister's letter states:

The Department for Education, Training and Employment is working on a long-term strategy that offers support to working families who may be disadvantaged by this decision. For 1998 the Government will provide assistance for eligible school aged children for these two days at one of 130 vacation care programs around the State.

My office has made several attempts by telephone to obtain details about the criteria of eligibility and whether indeed they are the same as any criteria which apply to other current vacation days. We have simply had no clarification whatever. We also note that, as well as concern about the additional burden on working parents, there has been some concern on the part of the Teachers Union for a different reason, in that a change to school dates was one of the issues that were under negotiation as part of larger negotiations, but now a decision has been made separately on this one matter. My questions to the Minister are:

1. What criteria will be used in deciding eligibility for assistance for students to attend vacation care programs on those two days that will now become part of the vacation?
2. What cost savings are expected by the Government due to the earlier school closure, as I understand that was a prime reason for the decision?
3. What percentage of children will be eligible for assistance?
4. For those who are not eligible, what will be the cost for parents who choose to send their children to school care; and, further, what will be the cost next year if it runs for a full week?
5. Finally, what is the net cost to the community of the decision to close schools for those two extra days; and what costs are envisaged in the provision of assistance for students to attend the vacation care programs?

**The Hon. R.I. LUCAS:** I will refer the honourable member's detailed questions to the Minister and bring back a reply, but I will make a general comment. I recall that in my first two years as the Minister there was a public outcry about the extent of term 4 in the Government school system, because the school year did not conclude until about 21 or

22 December. There was an outcry from parents, teachers and students, many of whom wanted to do some Christmas shopping and enjoy a little let down before Christmas, as well as from retail traders and people in country communities, in particular in the South-East, who said they had only two or three days at Christmas time. The Hon. Terry Roberts will recall the Millicent community in particular lobbying me as Minister to try to do something about it. I know that in those first two years I declared the last two school days of the year to be pupil-free days so that the teachers stayed on and the pupils were able to finish on the Wednesday evening, which was still about 19 or 20 December, I think.

So, we have a situation with the four term school year where, when you do the cycle, sometimes the end of the school year (going on memory) can be as close as about four days before Christmas. I do not think there are too many people in the community who think that is a sensible way to be running a school system. Certainly, there are some issues when the non-government schools have broken up maybe two weeks earlier, on 9 December or whenever it is, and students in the Government school system are still there going through to 20 or 21 December. So this was an issue and clearly it is an issue for a whole variety of reasons. Cost is obviously one that the Minister has highlighted, but there are some significant concerns that have been expressed by the community, by retail traders and others which, I am sure, would have been other factors considered by the Minister and the Government in the consideration taken by the Minister in his decision.

So, it is not just a one-sided decision or issue. As is often the case sometimes the quite cogent reasons on the other side have not been publicly portrayed in a favourable light. I think members in the community would be well served if they considered the arguments on both sides and whether they believe, if they oppose this move, that students in Government schools should be staying in school through to 20 or 21 December, some four days or so prior to Christmas. As to the detailed questions on the vacational care arrangements, I will certainly refer those issues to the Minister and have a reply brought back.

#### TRANSPORT, LOG BOOKS

**The Hon. G. WEATHERILL:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about interstate transport.

Leave granted.

**The Hon. G. WEATHERILL:** Some time ago I asked the Minister a question about interstate transport and how it was so easy for people to complain to the Governments in South Australia, New South Wales and Victoria, etc., about logbooks being destroyed or missing and were so able to get new logbooks. At the time the Minister indicated that she would like to talk to the drivers to whom I had been speaking to ascertain just what was going on in some of these areas. Unfortunately, these people work for employers who are quite unscrupulous when it comes to things like this. If it came out that these people were reporting to people like me, let alone the Minister, they would be quickly looking for a job. These people did not want to lose their jobs and therefore were not willing to give information.

However, this morning I read in the *Advertiser* that a truck driver has given evidence to the Coroner's Court concerning six people killed when he side swiped two cars. This driver had been asked to work ridiculous hours. He loaded his vehicle in New South Wales and drove it for 15 or 16 hours

without a break and then on arrival in Adelaide he offloaded it and then got a break. How can this possibly be? This is the problem: why has not the driver been picked up on the road after driving these long hours? Has he more than one logbook? Is that what goes on? How can we not find out whether a truck driver has a logbook in New South Wales, South Australia and Victoria? How can there be no check on these sorts of things? My question is: when the Minister meets with her interstate colleagues, will she look into this very serious matter?

**The Hon. DIANA LAIDLAW:** Certainly, I regard this matter as most serious, and I indicated that when the honourable member raised it in this place previously. I indicated then an enthusiasm to meet with the truck operators concerned and I regret that they feel intimidated as members of their industry, rather than by me, in terms of coming to speak to me. I have had many discussions with drivers, owners and operators and police about this matter over a number of years. I would wish to have been in the position today to give notice of a Bill for commercial driving hours, which would reflect national legislation in this field because transport Ministers around Australia had, to my knowledge, agreed to the introduction of this commercial driving hours legislation to provide for one national logbook system. That is what we all want: that is what all transport Ministers agreed to when asked to vote—

**The Hon. T. Crothers:** That concerned driver's licences.

**The Hon. DIANA LAIDLAW:** Yes, it is related to driver's licences, particularly to logbooks in this instance and to hours on the road and in preparing vehicles. In the past, the preparation and unloading of vehicles was not taken into account in terms of work practices and hours at work. An enormous amount of work has gone into this area. All Ministers agreed previously when the vote went out some time ago but now New South Wales has reneged and wants the matter reconsidered, as does the new Minister for Transport in Queensland of the new Labor Government. What I hoped and what I told the South Australian Road Transport Industry and the TWU was that I would be introducing legislation this session. However, I now cannot give that undertaking because the New South Wales and Queensland Ministers want this matter to be reconsidered.

I regret to advise the Council of that matter. I am not saying that this was a Dorothy Dix question at all—I genuinely share the honourable member's view that progress be made in this field for the safety of transport drivers, their families and other road users. In terms of the evidence of the truck driver before the Coroner, I cannot comment on that. The matter is before the court and the Coroner and it is best I make no comment on evidence given to date.

#### POLLUTION, HEAVY METAL DISCHARGE

**The Hon. T. CROTHERS:** I seek leave to make a precised statement before asking the Minister for Transport and Urban Planning, representing the Minister for Environment and Heritage, questions about heavy metal discharge.

Leave granted.

**The Hon. T. CROTHERS:** In the *Advertiser* of 13 October an article appeared which states that the Pasmenco smelter in Port Pirie, which produces 220 000 tonnes of lead and 40 000 tonnes of zinc per year, is presently discharging 5 billion litres of heavy metal laden water into Spencer Gulf each year.

*The Hon. R.R. Roberts interjecting:*

**The Hon. T. CROTHERS:** You have been brought up in Port Pirie. Do you think the lead had any effect on you?

*Members interjecting:*

**The Hon. T. CROTHERS:** Ask a silly question and you get a silly response.

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

**The Hon. T. CROTHERS:** I know you lived in Port Pirie for a long time. You must have done—you reflect it. According to the article, the water which enters the gulf from Pasmenco's discharge point is 100 times the international effluent discharge criteria for lead, and Pasmenco's own tests have shown that the water from the Port Pirie river, which is used for cooling and which does not come into contact with the lead in the process, contains 10 times the recommended lead levels above the environmental guidelines. The article further states:

Despite the commissioning of a \$10 million treatment plant for the new century, discharge flowing into Spencer Gulf from the Pasmenco smelter at Port Pirie will still contain nearly 10 times the recommended lead levels. . . Pasmenco's environment plan, which complies with the State's marine policy to slash marine discharge by 2001 will reduce to nil the amount of heavy metals entering the water through the production stage. However, even that will not be good enough to bring the discharge below all of the international criteria.

'We will never get to zero,' said Mr Chris McQuade, Pasmenco's environment and plant services manager. In light of what I have just read out, my questions to the Minister are:

1. What areas in the Spencer Gulf—if, indeed, any—are prohibited for fishing due to the pollution?
2. What effect has there been on aquaculture in the Spencer Gulf due to movements—if any, and what distance—of heavy metal contamination? Furthermore, is the Government monitoring this and, if not, why not?
3. What effect have these toxins had on the ecosystem in the immediate and surrounding area?
4. What tests, if any, have been conducted on fish stocks in the area as to how safe they are for human consumption?

**The Hon. DIANA LAIDLAW:** I will refer all those questions to the Minister. I suspect that the honourable member's interjection did not get on the record, because there was another question that he asked of the Hon. Terry Roberts as to whether the lead issues that the honourable member raised were in fact what had affected him. If that question is not on the record, I understand that I am not really in a position to ask the Minister to answer it. I suspect that her answer would be 'Yes,' but I will not speculate.

### QUESTION, REPLY

**The Hon. DIANA LAIDLAW:** I would like to immediately correct the *Hansard* record, because in answer to the last question I—

*Members interjecting:*

**The PRESIDENT:** Order! Does the Minister claim to be misrepresented?

**The Hon. DIANA LAIDLAW:** No. I seek leave to make a short explanation.

**The PRESIDENT:** A short explanation about what?

**The Hon. DIANA LAIDLAW:** About Terry Roberts.

**The PRESIDENT:** You seek leave to make a personal explanation.

Leave granted.

**The Hon. DIANA LAIDLAW:** I made a mistake in suggesting that the Hon. Mr Crothers had been referring to the Hon. Terry Roberts when asking his question. I should have said the Hon. Ron Roberts, who lives in Port Pirie, and

has done for many years, and that was the connection with the lead matter and what is affecting him.

### PSYCHOLOGICAL PRACTICES ACT

**The Hon. SANDRA KANCK:** 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 the current review of the Psychological Practices Act.

Leave granted.

**The Hon. SANDRA KANCK:** My office has been contacted by a number of registered psychologists concerning the review of the Psychological Practices Act being conducted by the competition policy review team. They claim that it is administratively flawed. Those views are echoed by the Chair of the Psychologists Council of South Australia, Ms Kate Prescott, and the Secretary of the Adelaide Association of Psychologists in Private Practice, Dr Jack Metzger. The review is being conducted to ensure compliance with the competition principles agreement and whether administrative procedures required by the Psychological Practices Act are unnecessary, or impose an unwarranted burden on any person.

It should be noted that the profession welcomes the review, and has been pressing for an overhaul of the Act for the past decade. However, there are also objections from the profession about the review process itself. Of greatest concern is the totally inadequate time frame for the profession to respond to the document produced by the review team. The draft document is dated 7 October, and the psychologists received it on 12 October. An original cut off date for submissions was 15 October, which has since been extended to 29 October. However, it is still considered insufficient time to develop a reasoned response to what is a lengthy and detailed document. Those in the profession say that they have been 'railroaded'.

This problem has been compounded by an inaccurate and out of date distribution and consultation list. Consequently, some interested parties are finding out about the review by chance, word of mouth and, in all probability, not at all. Without adequate input, the profession believes that the review process is compromised and in danger of producing flawed recommendations. Another bone of contention has been the appointment of Mr Peter Martin, Registrar of the South Australian Psychological Board, to the review panel. It has been suggested to me that there may be a conflict of interest between administering the Act and sitting on a panel to review the Act. My questions to the Minister are:

1. Will the Minister extend the cut off date for responses to the October draft report of the review panel into the Psychological Practices Act beyond 29 October and, if not, why not?
2. Will the Minister explain why the Registrar of the South Australian Psychological Board, Mr Peter Martin, was appointed to the review panel?

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

### QUESTIONS ON NOTICE

**The Hon. R.R. ROBERTS:** I seek leave to make a brief explanation before asking the Treasurer and Leader of the Government a question about questions on notice.

Leave granted.

**The Hon. R.R. ROBERTS:** On 18 February this year, I lodged some 27 questions on notice in this place—10 to the Treasurer, nine to the Hon. Diana Laidlaw and eight to the Hon. Trevor Griffin, as Attorney-General. All those questions appear at least once in the September supplement for questions on notice. Members will note that those 27 questions are consecutive. They refer, in particular, to two areas: the level of consultants used in all departments by all Ministers, and the loss of employment opportunities in all those departments. These questions cover every ministerial portfolio and, eight months later, I have not received an answer to one of those 27 consecutive questions.

I was prompted to ask these questions following concerns about the amount of advertising and obvious campaigning being done to support the Government's view on a number of policy issues. I do not normally take too much exception to that but, after eight months, and having written to all Ministers asking for some response, I am concerned that none of these questions has been answered. I know that over the years members have had problems getting questions on notice replied to on time and when they would like, but I believe that waiting eight months for replies to 27 consecutive questions is too long.

My question to the Leader of the Government is: in respect of these questions, has Cabinet made any decision that they not be answered? What could be the reason for such a delay, and when can I expect answers to the 27 questions that have been on notice since 18 February?

**The Hon. R.I. LUCAS:** I apologise if the honourable member has not received replies. I am not sure what the reason for the delay might be. It may well be that they are very complicated questions which require considerable work and effort to ascertain the information. On behalf of my colleagues and the Government, I am very happy to see whether I can ascertain the whereabouts of these questions and, indeed, whether—

*Members interjecting:*

**The Hon. R.I. LUCAS:** First, I will look for the questions, and if there are answers nearby I will also look for those. I will take up these matters with the Ministers and the Premier to see whether there are responses in waiting and, if there are, bring back those replies.

*The Hon. R.R. Roberts interjecting:*

**The Hon. R.I. LUCAS:** Well, if they are not capable of reply the honourable member at least deserves the courtesy of being told that the considerable expense and effort involved in collecting the information might not be warranted. I must admit that when I was in Opposition and the then Bannon Government used those reasons for not answering Opposition questions, I was a touch offended. It may well be that, should the honourable member get the same response, he, too, might share the grief that I used to feel in Opposition when similar answers were given to me. I am not prejudging the situation—I will need to speak with my colleagues and refresh my memory as to where those questions are.

### DESIGNER DRUGS

**The Hon. CARMEL ZOLLO:** I seek leave to make a brief explanation before asking the Attorney-General a question about designer drugs in Adelaide.

Leave granted.

**The Hon. CARMEL ZOLLO:** Recent media reports have raised concerns that Adelaide is gaining an unenviable reputation as a significant development centre for new and

rare so-called designer drugs sold as ecstasy and vitamin pills. These hallucinogenic drugs have been claimed as unique to Adelaide. The reports also indicate that the recent death of a young man at West Beach was as a result of an overdose of the drug PMA, which is known by the street name 'death'. My questions are:

1. How many cases of drug seizures have included the designer drugs PMA, ecstasy and so-called vitamin pills this year, and how does this compare with 1996-97?

2. How many South Australians have died as a result of taking these designer drugs in the past year?

3. Will the anti-PMA designer drug intensive police campaign that was conducted last year be re-established to deal with the current outbreak?

**The Hon. K.T. GRIFFIN:** Those questions will require some research. I do not know whether specific figures are available, but if they are I will endeavour to have them provided to the honourable member. In any event, I will bring back a reply.

### SEAT BELTS

**The Hon. T.G. CAMERON:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about road traffic regulations and the use of seat belts.

Leave granted.

**The Hon. T.G. CAMERON:** An anomaly has recently been brought to my attention regarding current Road Traffic Act regulations covering the exemption of the wearing of seat belts by people with physical disabilities. Mr Basil Laver, a constituent, contacted my office following an incident in which he was stopped by the police and warned for not wearing a seat belt. Mr Laver was able to produce a certificate from his doctor certifying that due to a permanent physical disability he should not be required to wear his seat belt. The police informed Mr Laver that he was required to renew this certificate every 90 days. However, the Road Traffic regulations appear to be ambivalent on this point. Section 7.9(4c) of the regulations provides:

A certificate under this subsection is valid for such period as may be specified in the certificate or, in the absence of any such specification, for a period of 90 days from the day on which it is given.

My questions to the Minister are:

1. What is the current situation, and does Mr Laver need to renew his certificate every 90 days, even though he has a valid medical certificate stating his permanent physical disability?

2. If so, will the Minister have her department investigate whether the regulations may need to be modified so that people with permanent physical disabilities are not required to get a certificate four times a year? Perhaps this could be extended to a five year period.

**The Hon. DIANA LAIDLAW:** The honourable member would appreciate that the category of disabilities includes both temporary and permanent disabilities.

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

**The Hon. DIANA LAIDLAW:** Yes, I understand that. Therefore, I suspect that, with reference to the period of 90 days, the regulations seek to deal with temporary circumstances. However, I think that the first part of the regulations to which the honourable member refers, as currently provided, appear to cater for an extended period, but clearly they have not been administered as such by the police officer

concerned and have not been taken advantage of by Mr Laver's medical practitioner. I will seek more detailed information for the honourable member on behalf of his constituent and bring back a prompt reply.

### INTERNATIONAL TREATIES

**The Hon. A.J. REDFORD:** I seek leave to make a brief explanation before asking the Attorney-General a question about international treaty making and the role of the States.

Leave granted.

**The Hon. A.J. REDFORD:** In response to the former Federal Labor Government's practice of intruding upon what one would normally consider to be State affairs by the use of treaties, the Victorian State Government set up a parliamentary committee known as the Federal-State Relations Committee chaired by Mr Michael John, MP. I am pleased to note that that committee reported in October 1997 (12 months ago) on the topic of international treaty making and the role of the States and made a number of recommendations.

We all know that there are occasions when treaties have been entered into by the Federal Government, without any knowledge or input on the part of the States, which have the potential and the capacity to intrude upon our autonomy and ability to make laws in this Parliament. In a letter that I received from Mr John on 13 October 1998 he reports to me that the major outcome of this report is that Commonwealth treaty documents and treaty schedules are to be tabled in the Victorian Parliament. He also points out that it is the committee's hope that this will make information on treaties more easily available to members of Parliament and eventually broaden the involvement of the community in the discussion of treaties. He reports to me that the tabling of documents is set to commence from October 1998. In the light of the foregoing, my questions are:

1. Is the Attorney-General familiar with the first report of the Federal-State Relations Committee of Victoria?

2. Will the Attorney-General consider adopting the recommendations of the Victorian Federal-State Relations Committee of October 1997?

**The Hon. K.T. GRIFFIN:** I am not so familiar with the recommendations that I can speak to them without further research, but I am aware of the existence of the Victorian committee and the work that it seeks to undertake in relation to both treaty development and making treaties when entered into more readily available.

This issue largely arose out of discussions at the Council of Australian Governments where State Premiers and Territory Chief Ministers made representations to the Commonwealth Government that there should be a greater level of participation by States and Territories in the development of treaties. I might say that that has been the position for a number of years in respect of a couple of areas of treaty making: the Law of the Sea conference and human rights. The States and Territories were represented in delegations in respect of those matters through the Standing Committee of Attorneys-General, and we still have a State representative who works around the jurisdictions and in at least one current set of treaty negotiations involving the Commonwealth and other nations.

In terms of the tabling of treaties when entered into, personally I have no difficulty with that being undertaken. It would be a matter of merely setting up an administrative procedure to enable that to be done and members would then

be more readily informed about the issues that were the subject of a treaty. I will take that up with the appropriate department, the Department of Premier and Cabinet through its Intergovernmental Relations Branch, to ascertain whether or not that can be undertaken.

The issue has been raised by others as to the extent to which the State will be involved in treaty discussions. I can say that at the Standing Committee of Attorneys-General, at our regular meetings (there are three of them a year), we have a standing item which identifies the treaties and conventions that are under negotiation. So we do try to keep some tab on what is happening in the Federal bureaucracy in relation to treaties that ultimately might have an impact on the States. I will pursue the other issues raised by the honourable member and bring back a reply.

### SPORT AND RECREATION FUND

**The Hon. NICK XENOPHON:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning, in her capacity representing the Minister for Industry and Trade, a question in relation to the Sport and Recreation Fund.

Leave granted.

**The Hon. NICK XENOPHON:** Section 73A of the Gaming Machines Act provides for the establishment of a Sport and Recreation Fund to provide financial assistance for sporting or recreation organisations, with subsection (6) prohibiting financial assistance being given to an organisation that is the holder of a gaming machine licence. My questions are:

1. Is the Minister aware of any sporting or recreation organisation which receives financial assistance from the fund and which shares either its premises or club rooms with premises that have a gaming machine licence; and, further, whether such organisations have any links with the holder of a gaming machine licence and whether they receive benefits directly or indirectly from the organisation that holds the gaming machine licence on its premises?

2. Will the Minister provide details of sporting or recreation organisations using or sharing club rooms or premises with a gaming machine licence holder and the amounts of grants paid since the inception of the fund?

3. Does the Minister or his department have a method or protocol of investigating any links between organisations applying for or receiving such grants and entities that are the holders of a gaming machine licence?

**The Hon. DIANA LAIDLAW:** I do not know whether the honourable member is suggesting such a relationship or knowledge of such a relationship in terms of sharing premises.

**The PRESIDENT:** The honourable member cannot reply.

**The Hon. DIANA LAIDLAW:** It is simply a question. There is no suggestion that there is information?

**The Hon. Nick Xenophon:** There is no suggestion in my question but that does not mean I do not have information.

**The PRESIDENT:** Order!

**The Hon. DIANA LAIDLAW:** I wondered whether the honourable member had information that he would wish to provide to the Government if he was suspicious or concerned that there might be an organisation receiving funds that also shared premises. Perhaps behind the scenes or off the record we can discuss that. In the meantime, I will forward the questions to the Minister and bring back a reply.

### POLICE, TELEPHONE TAPING

**The Hon. IAN GILFILLAN:** I seek leave to make a brief explanation before asking the Minister for Justice, representing Minister for Police, a question about the practice of police taping telephone conversations.

Leave granted.

**The Hon. IAN GILFILLAN:** The *Advertiser* of 15 September (page 9) carried a story headlined 'Police phone tap claim'. The crux of the story was that it had been alleged that a senior police officer had breached the Listening Devices Act by secretly tape recording a conversation with a lawyer who was representing another police officer. The *Advertiser* story did not reveal the fact that the officer who was the subject of the complaint held a senior position with the Internal Investigations Branch.

The Police Complaints Authority looked into the matter and concluded that no breach of the law had taken place. However, the Law Society's Criminal Law Committee has reviewed the case and come to a different conclusion. The committee was critical of the Police Complaints Authority, and the Law Society in a letter of 3 July asked the Attorney-General to review the matter. The matter was referred to the Director of Public Prosecutions, who has in turn provided legal advice. I have received a copy of two letters from the Director of Public Prosecutions on this matter. The first letter, addressed to the President of the Law Society and dated 22 September, states:

I share the view of the Criminal Law Committee that the practice is illegal (contrary to the Police Complaints Authority determination).

After reading this I wrote to the Director of Public Prosecutions asking him why he had decided not to prosecute in this matter. In his reply received on Friday 23 October Mr Paul Rofe revealed that he had changed his mind, and after considering a 1987 Crown Law opinion he now considers that 'a telephone conversation conducted by a public official such as a police officer with another person in the course of duty cannot be characterised as a private conversation for the purposes of the Act'.

Mr Rofe, however, remains of the view that 'the practice is not one that should be followed by police'. He says that he has written to the Police Commissioner asking him to issue a direction to all officers not to tape record covertly in these situations. There is still the question of whether the practice of covertly taping phone conversations is or has been an established practice within the Internal Investigations Branch.

In my letter of 12 October I referred the DPP to a letter dated 29 July that was written by the complainant to the Attorney-General. In that letter the complainant claims that she has 'documentary evidence which strongly suggests that the illegal taping and transcribing of telephone conversations is an established practice within the Internal Investigations Branch'. However, no-one from the DPP's office approached the complainant to examine this documentary evidence. Mr Rofe, in his letter of 22 September, said that he had no evidence apart from the matter under consideration that the practice was widespread. In his later letter he says:

... it is now academic whether there was an established practice within the Internal Investigation Branch. If there was, it may well have been legal, based on the 1987 advice. In any event, there is no longer such a practice.

I ask the Attorney, who in his own role may be able to answer at least part of the question:

1. Did he, when referring the matter to the DPP, provide a copy of the complainant's letter of 29 July in which that claim was made? If not, why not?

2. Will the Attorney ask the Police Minister to clarify whether this practice of covertly taping telephone calls is or ever has been an established practice within the IIB or any other branch of SAPOL?

3. If so, when did the practice cease?

4. Has the Commissioner of Police issued a directive to all officers not to tape record covertly in these situations as requested by the DPP? If not, why not?

5. In view of the contrary opinions that have now been expressed by both the Law Society and the DPP, will the Attorney review the Listening Devices Act to remove this apparent ambiguity?

**The Hon. K.T. GRIFFIN:** I know that the honourable member has a special interest in this and that the matter has been the subject of correspondence between him and I think the DPP at least; but he has basically indicated the position in relation to the DPP in the light of the Crown Solicitor's advice of 1987. That was advice by the then Ms Catherine Branson as the Crown Solicitor (now Justice Branson of the Federal Court), and there was a conclusion in that advice that taping a conversation other than a private conversation was not permitted without the other party being aware of it and concurring in that practice.

What the DPP did say is that he did not believe, notwithstanding that advice, that it was an appropriate practice by the Internal Investigations Branch to tape telephone conversations which in this case were of an official nature and not of a private nature. My understanding is that that recommendation has been put in place. However, the questions which the honourable member raises require more detailed study, and I will give that attention to them and bring back replies.

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### JOINT COMMITTEE ON TRANSPORT SAFETY

**The Hon. R.I. LUCAS (Treasurer):** I move:

That the members of this Council appointed to the committee have power to act on that joint committee during the present session.

Motion carried.

### SELECT COMMITTEE ON THE ESTABLISHMENT OF A SPECIAL COMMITTEE AND THE HOLDING OF A REFERENDUM ON THE SALE OF ETSA AND OPTIMA ENERGY

**The Hon. R.I. LUCAS (Treasurer):** I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Tuesday 24 November 1998.

Motion carried.

### SELECT COMMITTEE ON OUTSOURCING OF STATE GOVERNMENT SERVICES

**The Hon. R.D. LAWSON (Minister for Disability Services):** I move:

That the committee have power to sit during the present session and that the time for bringing up the report be extended until Wednesday 25 November 1998.

Motion carried.

**SESSIONAL COMMITTEES**

**The Hon. R.I. LUCAS (Treasurer):** I move:

That for this session a Library Committee not be appointed.

Motion carried.

Sessional committees were appointed as follows:

Standing Orders: The President and Hons K.T. Griffin, R.I. Lucas, Carolyn Pickles and G. Weatherill.

Printing: The Hons J.S.L. Dawkins, A.J. Redford, T.G. Roberts, J.F. Stefani and C. Zollo.

**ADDRESS IN REPLY**

**The PRESIDENT** having laid on the table a copy of the Governor's Opening Speech, the Hon. R.I. Lucas (Treasurer) moved:

That a committee consisting of the Hons T. Crothers, R.I. Lucas, A.J. Redford, J.F. Stefani and C. Zollo be appointed to prepare a draft Address in Reply to the speech delivered this day by His Excellency the Governor and to report on the next day of sitting.

Motion carried.

**ADJOURNMENT**

At 4.14 p.m. the Council adjourned until Wednesday 28 October at 2.15 p.m.