

## LEGISLATIVE COUNCIL

Thursday 5 November 1998

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

### EUTHANASIA

A petition, signed by 520 residents of South Australia, and praying that the Council will reject euthanasia legislation in any form, was presented by the Hon. A.J. Redford.

Petition received.

### PAPERS TABLED

The following papers were laid on the table:

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

Reports, 1997-98—

Legal Practitioners Conduct Board  
SA Ambulance Service  
South Australian Metropolitan Fire Service  
SA Water

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

Reports, 1997-98—

South Australian Community Housing Authority  
South Australian Housing Trust  
HomeStart Finance Board

Response by the Minister for Human Services to the  
Statutory Authorities Review Committee's Report—  
Review of the Commissioners of Charitable Funds.

### TAXATION REFORM

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

Leave granted.

### PALLIATIVE CARE

The **Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning)**: I seek leave to table a ministerial statement made by the Minister for Human Services (Hon. Dean Brown) on the report to Parliament on the care of people who are dying in South Australia.

Leave granted.

## QUESTION TIME

### WOMEN'S STUDIES RESOURCE CENTRE

The **Hon. CAROLYN PICKLES**: I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about the Women's Studies Resource Centre.

Leave granted.

The **Hon. CAROLYN PICKLES**: On 2 November the Minister received, as did I and many other members of Parliament, an urgent letter from the Women's Studies Resource Centre to the Minister for Education, Children's Services and Training seeking clarification regarding the Government's decision to discontinue the DEET seconded teacher level position. The loss of this position, which is a blow to the centre, clearly proves what a joke this Govern-

ment is, when it is willing to sacrifice valuable and desperately needed work for a mere \$65 900, the total cost of the position. According to correspondence I have received, the Minister has not even granted the centre the courtesy of a response, let alone a meeting to discuss the matter. My questions to the Minister are:

1. Does the Minister, whose very job it is to promote and advance the status of women in this State, agree with the decision of her Cabinet colleague which effectively undermines the status of women?

2. What actions or strategies is the Minister prepared to undertake to ensure the continued funding of this position?

3. Will the Minister meet with the Women's Studies Resource Centre collective as a matter of some urgency?

The **Hon. DIANA LAIDLAW**: The matter has come to my attention, and some follow-up action has been taken by way of a meeting between officers of my office and the relevant Minister's office. I am not sure of the outcome of that discussion, but it is certainly a matter to be pursued by the relevant Minister. The honourable member would be aware that through the portfolio of the Office of the Status of Women this Government has not assumed the responsibility for either funding or picking up the funds for the steps that have been taken by other portfolios in relation to women and their interests.

However, within the Office of the Status of Women we have been very active in supporting the relocation of the Women's Information Service, as the honourable member knows: I think she has an appointment with the Director of that service shortly.

This Government has certainly strongly promoted the relocation and increasing the profile and further services offered through the Women's Information Service, and we now have a shopfront location in the Railway Arcade, the Roma Mitchell House.

The honourable member may also be aware that we have supported the relocation of the Working Women's Centre to the same building, and this Government has given an excellent relationship and focus to both the Working Women's Centre and the Women's Information Service, both of which are funded through the Office of the Status of Women.

So, I would take extreme issue with the honourable member's reflections on this Government's funding and support for women's services, particularly in the general information support section. However, as I have indicated, the Women's Studies Resource Centre has never been funded through the Office of the Status of Women, but we have taken up the issues with the relevant Minister. I will follow up the discussions that have been held and bring back a report.

### GOODS AND SERVICES TAX

The **Hon. P. HOLLOWAY**: I seek leave to make a brief statement before asking the Treasurer a question about the Commonwealth's tax package.

Leave granted.

The **Hon. P. HOLLOWAY**: On 27 October, the Commonwealth Treasurer announced that the Tax Consultative Committee had been given just over two weeks to consider and report by 13 November 1998 on which education, health and other charges should be exempt from a GST.

In the ministerial statement from the Premier that was just tabled by the Treasurer, the Premier says that the scope of GST-free status of health, education and State and local

government taxes, as distinct from charges, needs to be resolved in great detail. My questions to the Treasurer are:

1. Has the Government made any submission to the Taxation Consultative Committee opposing the application of a GST on charges such as materials and service fees with respect to public schools, public bus, tram and train fares and electricity bills, or does the Treasurer support a GST on these services?

2. Will the Treasurer say whether he supports the establishment of a Senate inquiry into the effects of a GST?

3. Will he explain how the Commonwealth's plan will be constitutionally secure, as was indicated in the Premier's statement today?

**The Hon. R.I. LUCAS:** As I understand it, officers of the Department of Treasury and Finance and Premier and Cabinet have been engaged in discussions for a little while now, as I indicated before, with their respective colleagues at the Federal and other State and Territory levels as well. It is primarily through that mechanism that the State Government—through its officers, anyway—has been seeking further clarification of the Commonwealth Government's position so that, in turn, the State Government is able to determine its own policy position on any outstanding matter.

If, for example, the Commonwealth Government confirms that the GST is not to apply to a particular service, charge or fee—whatever the particular question might be—there will be no requirement for the State Government here or, indeed, anywhere else (I would imagine, anyway) to pursue that decision or ruling. So, it will only be—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** We are expressing our views, and we will continue to do so fearlessly on behalf of the State of South Australia to ensure that national tax reform will be in the best interests not only of Australia but of South Australia. As I said yesterday, and as I have said on a number of previous occasions, we do not intend to conduct this debate out in the public arena, when—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** Well, we are having ongoing discussions at officer level. In relation to the consultative committee, I will check to see whether submissions have gone to it. I should have thought that Government to Government negotiations and discussions would be conducted primarily through face to face discussions with the appropriate officers at Commonwealth level.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** No. The Hon. Mr Holloway really is whipping himself into a bit of a lather over nothing here—I hope he is enjoying himself! The consultative committee will allow a range of other groups that do not have Government to Government access to Commonwealth Treasury and other departmental officers. It is just not possible for the thousands of other groups in the community that may have a view to express on a range of these issues to have direct access to Commonwealth Treasury officers, who are charged with the responsibility of preparing the final package. State Treasury officers, acting on behalf of State Governments, have that benefit. So, the Hon. Mr Holloway—

**The Hon. P. Holloway:** But you are not sure?

**The Hon. R.I. LUCAS:** I said I will check. As I said, our prime mechanism for putting the State Government's view is directly to the Commonwealth officers who are doing all the work. We do not have to worry about going through alternative mechanisms, unless there is a significant issue that cannot be resolved through the established process. So, as I

said, I will check for the Hon. Mr Holloway as to whether a submission has gone. Certainly, nothing has gone, to my knowledge—but, being the very cautious person that I am, I will check.

Certainly, nothing has gone under my signature, but the Government is broader and wider than just the Treasurer, let me assure you. There are a number of other Ministers, including the Premier, and I will check. But certainly nothing has gone from me, as Treasurer, under my signature to the particular consultative committee because, as I have explained on a number of occasions, we are engaged in full and frank discussions with Commonwealth officers about the final shape and nature of the tax package. As I have said before—and I say it again—the State Government is fearlessly defending South Australia's interests to ensure that national tax reform will be not only in Australia's interests but also in the State of South Australia's interests.

**The Hon. P. HOLLOWAY:** I have a supplementary question. The Treasurer did not answer the last part of my question, which was: will he explain how the Commonwealth's plan is constitutionally secure, as claimed in the Premier's statement today?

**The Hon. R.I. LUCAS:** I will consult with the Premier in relation to that aspect of his statement and take any further legal advice, if that is required, to provide a further explanation to the honourable member if he so requires it. The statement of some four pages that has been put down by the Premier in another place today is a statement of the current state of negotiations. We will be having a meeting with the Prime Minister and the Federal Treasurer Friday week, when we will take this to the next step in terms of any further concerns that the State Government has in relation to the national tax reform package. So, I will take advice on the honourable member's final question and, if there is anything useful that I can add further to my response, I will bring back a reply.

## ROAD DEATHS

**The Hon. T.G. ROBERTS:** I seek leave to make a brief explanation before asking the Minister for Transport a question about pedestrian deaths in South Australia.

Leave granted.

**The Hon. T.G. ROBERTS:** Currently the Environment, Resources and Development Committee is sitting on a brief referred to it by this Council on country road deaths in South Australia, and we are certainly receiving a lot of information. The committee's report is almost due, and the Minister should have that in a short time—although I cannot tell him exactly when.

In the latest bulletin put out by the department in relation to road fatalities in South Australia, there is a significant increase in this year's figures relating to pedestrian deaths. To this time last year there were 14 pedestrian deaths on South Australian roads (the statistics run to September), and so far this year there has been almost a 100 per cent increase to 26 deaths. I am concerned that, although a lot of emphasis is placed on the prevention of road deaths in metropolitan and country areas in relation to motorists, pedestrians and cyclists tend to be left out of the media attention or the attention given to deaths on our roads. My question to the Minister is: what information is available to the Government which would enable an urgent campaign to commence to alert motorists and pedestrians of their responsibilities in relation to this important matter?

**The Hon. DIANA LAIDLAW:** I thank the honourable member for his question, particularly as we are in the midst of Bike Week. The honourable member may have noticed that Transport SA has this week launched the second stage of its Share the Road campaign to alert cyclists to be more aware of their responsibilities when using the road system and riding generally and, at the same time, to alert motorists to be more aware of their responsibilities and the fact that they are not the only ones who are entitled to use the road system. That will be an ongoing campaign over some three years: to focus on Share the Road.

We have over recent years spent a lot of time within Transport SA (formerly the Department of Transport) focusing on issues other than motor vehicles and the road, and it has been a personal campaign of mine to do so. This is an issue that the department has taken up, and it has appointed a pedestrian safety coordinator within Transport SA. This coordinator has initiated two programs, and perhaps I could give some details on them. One is Walk with Care, and that campaign is particularly focused on elderly people in our community.

The first public awareness stage of this program will commence this month. So, I thank the honourable member for giving me an opportunity to alert the Parliament to the launch of this campaign, Walk With Care. We are focusing on the Unley area in the first instance and working very closely with the local council. It is an important issue which acknowledges that South Australia has a higher proportion of aged people than any other State of Australia.

The other campaign that has been launched by Transport SA is the Safe Routes to School campaign. That campaign has been ongoing for two years now, some time longer than the Walk With Care campaign. The Safe Routes to School campaign involves schoolchildren, parents, teachers and the wider community in working out how the majority of students get to school and how we can make it safer for them to do so. The honourable member would know that compared with the time when he and I went to school, when most of us would walk or ride, today increasing proportions of children are being dropped at school. That is not only because mothers are increasingly in the work force but because there is a real concern about the safety—not only road safety but also personal safety—of individuals going to and from school.

The Safe Routes to School campaign is, I suppose, a crime prevention initiative as well as a road safety initiative. It is operating in the Morphett Vale area at: Calvary Lutheran School, and Flaxmill, Lonsdale Heights, Morphett Vale South and Morphett Vale West Primary Schools. Another program is operating in the Taperoo area involving: Largs Bay, Largs North, North Haven, Our Lady of the Visitation, and Taperoo Primary Schools. Further schools are involved in the Walkerville area including: Walkerville Primary School, Wilderness School, St Andrews School, St Monica's Parish School and Vale Park Primary School. In the Cowandilla-Brooklyn Park area, the following schools are involved: Torrensville, Richmond and Cowandilla Primary Schools, Tennyson Woods Catholic Primary School and St George College.

Two further programs are to be established this year in two rural areas: Waikerie and Melrose. In each instance, engineering initiatives are also being taken, not only in respect of public relations for the general community and the location of safe houses but also information within schools about road safety in general.

The honourable member would also be aware that regarding pedestrian safety I have had some personal difficulty in getting the community to develop a better appreciation as motorists of their responsibility in school zones. I will continue to pursue this campaign with enthusiasm notwithstanding some hiccups and difficulties along the way, because fundamentally this campaign is about making sure that motorists understand that there are road users other than themselves, many of whom are vulnerable. Regarding school zones, those who are vulnerable are schoolchildren.

I take my responsibilities seriously in this area. Transport SA is working closely with the police, schools, older parents and councils in a combined community effort which will focus on courtesy and respect for others on the road. I hope that a further initiative in terms of 40 km/h precincts in many local streets—and there will soon be an announcement about this in respect of Unley—will also ensure a greater consciousness and awareness of pedestrian use of the streets and footpaths and that, as a consequence, we will see a fall in pedestrian deaths and in road death figures generally.

### MARINE BUOYS

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the purchase of marine buoys.

Leave granted.

**The Hon. J.F. STEFANI:** Yesterday, the Hon. Ron Roberts—

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

**The PRESIDENT:** Order!

**The Hon. J.F. STEFANI:**—referred to some regional development issues. He claimed that the decision by Marine Services within Transport SA to purchase two marine buoys from Scotland and not from Port Pirie was evidence that this Government was not sympathetic to regional development issues and jobs. My questions are: first, will the Minister advise whether the Hon. Ron Roberts is correct in stating that the two marine buoys purchased from Scotland cost hundreds of thousands of dollars of taxpayers' money; and, secondly, will the Minister say why Marine Services did not seek to engage a fibreglass manufacturing company in Port Pirie or any other part of South Australia to supply the two marine buoys?

**The Hon. DIANA LAIDLAW:** There was some discussion earlier about whether I should reply to the statements made yesterday by the Hon. Mr Roberts in terms of a ministerial statement or through a question from the Hon. Julian Stefani. As the Hon. Mr Stefani is very interested in the manufacturing industry and regional development in this State, he was keen to pursue the issues raised by Mr Roberts yesterday. He was also interested in making sure that this Council is well informed of the facts—and I would like to highlight again that Mr Roberts was not.

I also think that it is particularly interesting that Mr Roberts is not even bothering to read his local *Recorder* newspaper because he would have found that I had addressed the matters that he raised some weeks ago. Some weeks ago he raised this issue in the local newspaper, and I immediately addressed the matter and provided the facts through that newspaper. It is apparent that either Mr Roberts does not read his local newspaper or is not interested in the facts. Perhaps it is a bit of both.

I highlight how ill-informed Mr Roberts is. He referred in the matters he raised yesterday to the Department of Marine and Harbours. That department has not existed for four years. I also highlight the inconsistencies in his statements yesterday. At one moment he talked about the marine buoys costing \$48 000; then, as he got more excited about the story that he wanted to twist, he went on to say that Marine Services through Transport SA had spent hundreds of thousands of dollars on these two buoys. Neither the \$48 000 nor the hundreds of thousands of dollars is accurate. The two buoys cost \$42 931 each, and I had already provided that information to the honourable member through his local newspaper if he had wished to read it.

I also highlight the other facts in the *Recorder* that the honourable member could have read and thus not wasted the time of this Parliament yesterday with his beat-up story. The buoys were deliberately made not of fibreglass or steel construction but of a new material. They are described as elastomeric-skinned foam-filled buoys of specialised construction. I am told by Marine Services SA that these buoys were ordered particularly on the recommendation of the Royal Australian Navy as the most appropriate buoys for waters off Port Bonython, where two of the eight buoys are to be replaced with these Scottish made articles in a trial of this state-of-the-art technology.

The reason why the navy has recommended these buoys for this area and why Marine Services SA took the advice of the navy in this instance is because of their overall life cycle cost. Our advice is that the overall life cycle costs will reduce and, therefore, there will be less maintenance not only to the buoys but also to the maintenance vessels and others that use the area, and this is an important consideration. The two trial buoys are assessed to be cheaper long-term options. The traditional steel and fibreglass buoys have lower purchase costs. We have all acknowledged that, and it was a consideration in placing this order. The manufacturers of the buoys claim that they are virtually maintenance free for at least 25 years.

I also wish to highlight—and this advice has been provided to the newspaper in response to the Hon. Mr Roberts's earlier comments—that because this is a trial our need to order further buoys will be assessed following that trial. If it is a successful trial, South Australian manufacturers will have the opportunity to participate in a tender call. So, South Australian companies have not been excluded from this new initiative. This is a trial; it is a pilot project. If it is a successful trial, South Australian companies will have the opportunity in the future to participate. Hopefully, those companies will be based in regional areas.

## DRUGS AND CRIME

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Police, a question about drug related crime.

Leave granted.

**The Hon. M.J. ELLIOTT:** The South Australian Police Annual Report, which was tabled in this Council last week, states that the motive of many robberies was to obtain money to support a drug habit. In fact, the report found a 5 per cent increase in robberies for the 1997-98 financial year and on page 13 of the Statistical Review Supplement to that report states:

In many cases the motive was to obtain money to support a drug habit.

I note that there was no quantification of the actual percentage of robberies being attributed to a need to obtain money to support drug habits. I also note that this was an issue which was pursued by a select committee in this place some five or so years ago and that the committee at the time was disappointed that the police could not even make the roughest of estimates as to the level. It is fair to say that all members of that committee were disappointed at the inability of the police to do so at that stage.

There is a growing body of international evidence which suggests that we may have to find a new way to fight against illicit drugs and the criminal activity which leads to drug abuse. I note that back in 1996 the Tasmanian Police Commissioner John Johnson said that, although Australia spent about \$500 million annually attempting to control the use of illicit drugs using police, courts and gaols, the policy had failed. After decades of hard work we know that the police and the legal system are incapable of destroying the black market in drugs. The consequence of that is increased crime to support drug habits, which is conceded by the Police Annual Report although not quantified. My questions to the Attorney-General, representing the Police Minister, are:

1. Since the police report claims that in many robberies the motive was to obtain money to support a drug habit, what statistics does the Police Department have in relation to the proportion and value of various crimes committed to obtain money to support a drug habit?

2. Has there been any estimation of the impact of such crimes on the cost of policing and the added costs faced by the community in South Australia?

3. Will the Minister establish an investigation into the issue of drug related crime, its impacts on our community and what measures can be taken to tackle the issues at their source?

**The Hon. K.T. GRIFFIN:** I will certainly refer the questions to my colleague and bring back a reply. I can indicate that in the Office of Crime Statistics, which is within the umbrella of the justice portfolio presently within my Attorney-General's Department, a study is being undertaken in relation to robbery offenders. That is being done in conjunction with Correctional Services as well as with the police. Out of that we hope to get some better appreciation of the extent to which drugs have been a cause for a person to commit a robbery—whether a person has entered into a life of crime before being on drugs or whether the crime followed the initial abuse of drugs.

There are some additional studies being undertaken. There is one with the Australian Institute of Criminology. I do not have all the details of that at my fingertips. As part of a study not just in relation to drugs but a whole range of other circumstances, there is work going on in the juvenile justice system in relation to any young offender who is detained for more than one week. These studies are being undertaken for the very reason that there is a lot of anecdotal information about why people commit some of these crimes, particularly the relationship of drugs to crime.

Certainly, the police have a strong view that, whilst there is no empirical evidence of this fact, a lot of crime is drug related. I think most if not all members will know that I have a strong view that it does not matter whether it is the issue of drugs or any other issue relating to crime: we really have to improve the quality of both our data and our research, because we cannot tackle the causes of crime or even the crimes themselves effectively and ensure an appropriate disposition of resources and use of those resources without

a proper understanding of all the reasons why they occur, who commit them, and so on.

**The Hon. M.J. Elliott:** That's why these questions are asked.

**The Hon. K.T. GRIFFIN:** Yes, I am just giving you an answer. I am not criticising the honourable member for raising the question: I am just giving the Council some immediate information about what is happening. I do not think anybody would feel that we should not be trying to get more information upon which we can make better policy decisions to deal with issues of crime. So, that is a bit of information about what is happening in government. There is certainly a lot more than that, but they are ones that immediately come to mind in relation to the issues raised by the honourable member. I will seek to obtain some even further information and bring back a more detailed response.

### GOODS AND SERVICES TAX

**The Hon. L.H. DAVIS:** I seek leave to make a brief explanation before asking the Treasurer a question about horizontal fiscal equalisation.

Leave granted.

**The Hon. L.H. DAVIS:** Today on radio the Federal Opposition Leader Mr Kim Beazley was quoted as saying that revenue from the goods and services tax, the GST, should be kept in the State where it is raised. Mr Beazley is now on record supporting—

*Members interjecting:*

**The Hon. L.H. DAVIS:** Well, you won't think he is so honourable after you have heard this question. Mr Beazley—

*Members interjecting:*

**The Hon. L.H. DAVIS:** This is of great importance to the Opposition, and I would have thought they might listen to it. Mr Beazley has supported New South Wales Premier Bob Carr's claims that the proposed distribution of goods and services tax revenue would see his State unfairly subsidising other smaller States. In other words, Mr Beazley has sided with the big States against the small States.

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

**The PRESIDENT:** Order!

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

**The PRESIDENT:** Order! The Hon. Mr Redford! I am sure you would not be able to do that in a court and you certainly cannot keep on interjecting in here while the President is trying to speak.

**The Hon. P. HOLLOWAY:** Mr President, on a point of order, the Hon. Legh Davis is clearly giving opinion.

**The Hon. L.H. DAVIS:** Mr President, I am just relaying what was broadcast on radio when Mr Beazley came out in support of the bigger States against the smaller States in respect of horizontal fiscal equalisation.

**The PRESIDENT:** Order! There is no point of order, but members should steer clear of giving opinions.

**The Hon. L.H. DAVIS:** On my calculation this would cost South Australia hundreds of millions of dollars potentially in lost tax revenue, if Mr Beazley's plan is put into effect. I am wondering whether the Treasurer has had the opportunity of listening to Mr Beazley's comments and can confirm the accuracy of what I have said; and does he accept the view that I have expressed that it could cost South Australia dearly? That is question 1, and question 2 is—

**The Hon. T. CROTHERS:** Mr President, I rise on a point of order. It is pure speculation and not factual because, as yet, the Federal Government in respect of the GST has not

determined where the 10 per cent will apply. How can he know how much money he's lost?

**The PRESIDENT:** Order! The honourable member will resume his seat. There is no point of order.

**The Hon. L.H. DAVIS:** I will make available to members of the Opposition a transcript of Mr Beazley's lips moving on radio where he actually says these things.

**The Hon. CAROLYN PICKLES:** Mr President, I rise on a point of order. The honourable member continues to refer to the Hon. Mr Beazley as Mr Beazley. He was a Minister in another Government. I ask that he perform the courtesies.

**The PRESIDENT:** Members know that they should address other people by their titles and I can do more than ask members to consider that point.

**The Hon. L.H. DAVIS:** The current Federal Opposition Leader in Canberra has made a statement about horizontal fiscal equalisation which will shred South Australia of hundreds of millions of dollars. Is the Treasurer aware whether or not the Leader of the Opposition in South Australia, the Hon. Mike Rann, also supports this position?

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

**The Hon. R.I. LUCAS:** I must say I have been intrigued at the interest of the Deputy Leader of the Opposition in this place, a member of the leadership group in the Opposition in South Australia, about the State Government's position on the GST and the tax reform debate over the past four or five days. I think we now understand where the Labor Opposition in South Australia is coming from in relation to the GST and the tax reform debate. As a result of the statements made by the Hon. Mr Beazley on morning radio, we now have a clear indication of Labor Party's positions, both State and Federal, in relation to the smaller States such as South Australia as part of the national tax reform debate.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** I challenge the Hon. Mr Holloway and the Leader of the Opposition, the Hon. Michael Rann, to stand up and attack the Hon. Kim Beazley for the statements he has made today, in effect jettisoning the smaller States such as South Australia at a crucial stage of the national tax reform debate. As we lead up to Friday week for the national tax reform debate, we have the Labor Party in New South Wales, we have Bob Carr, we have the Leader of the Government in New South Wales, a Labor Leader, spending millions of dollars on paid advertising to try to do South Australia in the eye, and we have the Hon. Paul Holloway and the Hon. Kim Beazley supporting New South Wales—

*The Hon. P. Holloway interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Paul Holloway will cease interjecting.

**The Hon. R.I. LUCAS:**—and not having the courage to stand up for South Australia and support the actions of the Premier, the Treasurer and the Government in South Australia in sticking up for South Australia against the Eastern States, against the Labor States and against the policies of people such as the Hon. Kim Beazley and others who want to do South Australia in the eye.

It is difficult enough in South Australia because of the economic circumstances but, on a conservative calculation, almost \$400 million is the estimate of the value to South Australia of horizontal fiscal equalisation. It is a recognition by the Federation that the smaller States need additional assistance to provide the same level of service that the wealthier and bigger States have. It has been a fundamental

tenet of grants funding to the States. We now have this statement revealed for everyone to see—after the Federal election of course. Nothing was mentioned before the Federal election. The Hon. Kim Beazley came across to South Australia and stood up with the Leader of the Opposition, Mike Rann, and others and said, ‘I have a special deal for South Australia. Here are the goodies that I have for you. You can have \$12 million for a war memorial or something at the Torrens Parade Ground,’ while at the same time having a secret agenda in his back pocket to rip out \$400 million plus from South Australia and to give it to his Labor mates in New South Wales.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** Stand up here and support South Australia and condemn Kim Beazley.

**The Hon. L.H. Davis:** Does the honourable member support Kim Beazley?

**The PRESIDENT:** Order! There is no need for members to finger point in here.

**The Hon. R.I. LUCAS:** I will use my fist instead of my finger, Mr President; is that all right?

**The Hon. Carolyn Pickles:** No, it is not. You can address the Chair.

**The Hon. R.I. LUCAS:** I can address the Chair and still use my fist. We still do not have from the Deputy Leader in this debate across the Chamber by way of interjection a condemnation of the Hon. Kim Beazley. Clearly, the position that Mike Rann and the Hon. Paul Holloway and others are adopting is a consistent Labor Party position to try to do South Australia in the eye. Well, stand up and condemn the Federal Labor Party; seek leave to make a statement—I will support it—and stand up in this Chamber this afternoon, now, and condemn the Leader of the Opposition, the Hon. Kim Beazley, for the statements that he has made in relation to the national tax reform debate.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** How can you totally distort a straight transcript which is taken from a radio interview? The Hon. Paul Holloway is grasping at straws if that is his best response.

**The Hon. L.H. Davis:** He actually talked on this radio.

**The Hon. R.I. LUCAS:** Is that the best response we can get from the leadership group? The best we can get from the Leader of the Opposition here is a stunning response to, in effect, strike a dagger in the heart of my colleague the Hon. Legh Davis by challenging him for not calling Kim Beazley the Hon. Kim Beazley!

*Members interjecting:*

**The Hon. R.I. LUCAS:** That is the policy response from the Labor Party in South Australia: a dagger in the heart of my colleague the Hon. Legh Davis led by the Leader of the Opposition in saying, ‘You should have called him the Hon. Kim Beazley.’

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** We are quivering with the stunning fight back from the leadership group in this Chamber. I can see the smiles from the Hon. Ron Roberts and Hon. Terry Cameron on the backbench.

*Members interjecting:*

**The Hon. R.I. LUCAS:** As I said, the conservative estimate of the potential damage of this to South Australia would be just under \$400 million and, depending on how horizontal fiscal equalisation was to be removed, it might be as much as \$570 million or so. When members look at that

in terms of significance, we would have to almost double payroll tax in South Australia to make up for lost revenue to the State of South Australia. I am appalled at the statement I have seen from the Federal Labor Party. Similarly, I am appalled that the leadership group in this Chamber will not take up the challenge to condemn its Federal leadership. Clearly, they are tacitly part of a Labor Party plot to do South Australia in the eye as we lead up to the national tax debate on Friday week.

## COUNTRY FIRE SERVICE

**The Hon. G. WEATHERILL:** I seek leave to make a statement before asking the Attorney-General, representing the Minister for Police, Correctional Services and Emergency Services, a question concerning details pertaining to the Country Fire Service as set out in the ‘Report of the Auditor-General for the Year ended 30 June 1998’ and the same for the previous year.

Leave granted.

**The Hon. G. WEATHERILL:** The 1997 report reads:

There was a need to complete a full stocktake of assets on a timely basis to correct the inaccuracies noted with regard to asset recording in the regions.

The board responded that it intended conducting a stocktake of all assets during September/October 1997. The 1998 report reads:

Audit review of assets revealed no evidence of an asset stocktake being undertaken.

The report goes on to comment quite a lot about the Country Fire Service. We are getting close to the fire season again, yet this is the second year in a row where no stocktake of assets has been undertaken of fire trucks in the CFS and I would hate to see volunteers fighting fires without the proper equipment. I believe this is what concerns the Auditor-General also. Further, the CFS Board has been the subject of accusations about people taking days in lieu and rostered days off, etc., that there are no records kept of who should and who should not have days off and who has taken days off. Does the Minister think this board has been responsible in its duty towards the Country Fire Service and, if not, why not?

**The Hon. K.T. GRIFFIN:** I understand the question and the answer should be ‘No, it is not abdicating its responsibilities to the fire service.’ The information which I now provide to the honourable member will mean that I will not need to refer the question to the Minister for Police, Correctional Services and Emergency Services for reply. In respect of asset management, I am informed that the comments regarding asset recording and stocktaking are linked to CFS asset management. This is a complex issue due to the varied ownership of appliances, infrastructure, buildings and equipment between the CFS Board, local government and other Government departments, for example, the department having responsibility for national parks and brigades.

The comments are not made by the Auditor-General in reference to the state of the equipment, appliances or the operational ability of brigades to respond. Rather, it relates to the accounting and appreciation of assets. Over the past 12 months the CFS has proposed and justified an increase of two staff positions to assist with CFS asset management. These positions are about to be called and subsequently will be filled. This illustrates recognition by the Department of Treasury and Finance which approved funding for the positions, that the CFS was in need of additional staff to enable this task to be undertaken. I am told the CFS is

committed to completing an asset stocktake during this financial year as part of the preparation and adjustment to central funding and implementation of the emergency services levy.

In relation to leave management I am told that there was a comment in the 1996-97 Auditor-General's Report which referred to excessive leave balances, but there has been an analysis which indicates that the balances have been substantially reduced over the past year and, in those circumstances, they have not increased. I am also informed that the analysis indicates more leave is being cleared away early in the 1998-99 financial year. CFS staff procedures credit each staff member with their leave entitlement on 1 July each financial year. This balance is then used during the financial year. It is possible in undertaking the audit that the Auditor-General's office did not appreciate that the new balances credited at the beginning of the financial year camouflaged the significant reductions that have been achieved.

### GAMING MACHINES

**The Hon. NICK XENOPHON:** My questions to the Treasurer are:

1. Given his recent release of poker machine losses for the City of Adelaide 5000 postcode, will he now authorise the release of net gaming revenue losses on poker machines in a postcode by postcode and monthly basis since July 1994 where there are at least three gaming venues per postcode with three different owners in order to obviate alleged claims of commercial confidentiality, such an approach being consistent with the protocol of the Australian Bureau of Statistics? Further, in postcode areas with less than three venues or owners will he do so by aggregating an adjoining postcode so that there are at least three venues or owners in total?

2. Given the concerns expressed in the *Border Watch* editorial of 30 October 1998 headed 'Why hide the pokies figures?', will the Treasurer undertake to release pokies losses for the Mount Gambier 5290 postcode since July 1994 to date on a month by month basis as soon as possible?

3. When will the Treasurer bring back a reply to my question of 27 August 1998 on the Government's assertion that compensation would be payable to poker machine venues if machines were phased out?

**The Hon. R.I. LUCAS:** I am sure the honourable member will be pleased at the new spirit of openness that the State Government has demonstrated in relation to gaming figures by releasing information—

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

**The Hon. R.I. LUCAS:** I am sure. I hope the honourable member thanks me for my assistance in gaining him page 1 of the *Advertiser*, the morning newspaper, through the release of the information on the Adelaide CBD. If we can actually plan it, we might be able to get him another 20 or 30 front-page stories. He should really be asking for the information one at a time so that he can actually plan it. If he gets it all together, it might be only one story.

*Members interjecting:*

**The Hon. R.I. LUCAS:** Given the degree of interest there is in these sorts of figures.

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

**The Hon. R.I. LUCAS:** I am sure there is great community interest in these figures. I have asked officers to see how we might be able to aggregate information. The honourable member has asked this question on a number of occasions.

The Adelaide CBD was an easier ask because there were so many licensees within that locality and it was clear it would not be possible to identify the commercial operations or even guesstimate the commercial operations of any one particular operator within the Adelaide CBD. The concern I have about the structure the honourable member has devised is that, for example, it may be that in a particular postcode where there are three licence holders (I am presuming the honourable member is talking about getting figures for hotels as well as clubs), you might have in one postcode just the one hotel which is clearly dominant and two small clubs which might have only half a dozen poker machines and be of a smaller size. The Hon. Mr Xenophon is an adept and clever politician and would then be able to target the hotel operator in relation to his and his supporters' concerns about the profitability and commercial profitability—

**The Hon. Nick Xenophon:** Would I do that?

**The Hon. R.I. LUCAS:** I give the honourable member credit: I am sure this is part of a deliberate strategy, as all his moves are, in relation to this. I watched the gamblers with avid interest in terms of how he got here in the first place: it was a strategic plan and a concerted campaign. I am sure that each dip is well planned. That would be the concern I have with this proposition that the honourable member has put. To give him credit, he keeps coming up with schemes which would allow him that opportunity.

In the interests of commercial confidentiality, I have some concerns about the honourable member's proposition. I am looking (and I have asked officers to see whether it is possible), whether by regions or otherwise—whether that is an aggregation of postcodes, regions or something else—at providing more aggregated information which would not allow the Hon. Mr Xenophon and his supporters perhaps to target individual owner operators in one particular postcode area.

As I said, following that precedent of openness in relation to the CBD, rest assured that I will work with the honourable member in trying to provide him with further information as we can within the context of not wishing to breach the commercial confidentiality of some operators.

### PUBLIC SECTOR DATA PROCESSING

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister for Administrative Services a question about data processing for the Government sector.

Leave granted.

**The Hon. J.S.L. DAWKINS:** In 1996 the Government engaged EDS to undertake most of the Government's data processing. At that time it was stated that the outsourcing of such work to EDS would result in economic benefits to this State. Can the Minister indicate what, if any, benefits have flowed to South Australia from the EDS contract?

**The Hon. R.D. LAWSON:** It is true that the Information Technology Services and State Development Agreement with EDS was entered into in 1995 and commenced to run in July 1996. The contract provides that EDS will provide services for certain aspects of the Government's data processing and information processing, mainframe, mid-range workstations, local area networks (LAN) and wide area networks.

Two hundred State Government employees moved to EDS in April 1996, but since that time close to 550 further jobs have been created, many of them in other centres established by that company in Adelaide which has brought from

Victoria the Information Processing Centre that previously performed work for General Motors-Holden's. EDS employee numbers in this State now exceed 700 and are expected to reach 750 by the end of the year—that is a 10-fold increase in 2½ years. It has provided tremendous opportunities for the South Australian work force.

In the year to the end of September this year EDS took on 159 new recruits, the majority of them IT specialists, and more than 80 per cent of them were recruited in South Australia. One of the EDS divisions, the Asia-Pacific Solution Centre, provides software engineering solutions for companies in Australia and overseas. It has doubled in size over the past year and the company has announced that it intends expanding from 120 employees to around 300 during the next 18 months.

EDS has also established its Asia-Pacific Education Centre in Adelaide, and more than 6 000 EDS staff have been trained in this new centre. EDS has also been supporting local industry in its Channels to Asia program. It has established its Asia-Pacific Internet Data Centre at Kidman Park, and that is a joint venture between Microsoft and Publishing and Broadcasting Limited. That venture is most exciting and also provides employment opportunities for South Australians.

In addition to those economic and employment developments that the arrangement has brought to South Australia, the Government has also effected savings in the cost of obtaining the services which EDS supplies over and above the cost that would have occurred had the arrangement not been entered into.

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### CRIMINAL LAW CONSOLIDATION (CONTAMINATION OF GOODS) AMENDMENT BILL

**The Hon. K.T. GRIFFIN (Attorney-General)** obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act 1935. Read a first time.

**The Hon. K.T. GRIFFIN:** I move:

*That this Bill be now read a second time.*

In February 1997 the Standing Committee of Attorneys-General (SCAG) asked the Model Criminal Code Officers Committee (MCCOC) to review the different legal regimes dealing with product contamination across Australia and to develop a model for a consistent approach across the country and its jurisdictions to the problems posed by product contamination.

The Model Criminal Code Officers Committee was established in June 1990 by the Standing Committee of Attorneys-General. It consists of one representative from each Australian jurisdiction, usually the principal legal adviser to the Attorney-General on criminal law and related issues. The Model Criminal Code Officers Committee released a discussion paper, including draft legislation, in May 1997 and a final report to the Standing Committee of Attorneys-General in February 1998, also including draft legislation. The Standing Committee of Attorneys-General authorised the release of that final report in March 1998.

Product contamination is a thankfully rare and regrettably not unknown phenomenon. It has the capacity to be very serious indeed. Some of the more infamous examples of what can occur will show the Council the need for this legislation.

In 1983 seven people died in the United States after consuming a mild analgesic called Tylenol. Eventually, a person was convicted of fraud and blackmail offences in relation to making a demand for \$1 million in return for cessation of the poisoning of the product, but it was never clear that that person committed the contamination.

There have been similar events in Australia. In 1991 a person threatened to contaminate toothpaste in Sydney and Perth unless paid \$250 000. There was no evidence that the threat was ever carried out, but the company recalled and withdrew the goods from sale. In 1996, a person in Victoria clipped the heads off pins and put the headless pins in food in supermarkets. He made no demands or threats and the only motivation ever discovered was that the person concerned was seeking retribution against society as a whole because he had earlier been convicted of attempted murder.

In February 1997, it was reported that letters had been sent to authorities in Queensland and New South Wales threatening to contaminate Arnott's biscuits. A demand was made about police involvement in the conviction of a named person for murder. The threatened contamination was sufficient to kill a child weighing less than 10 kilograms. Arnott's decided to withdraw its product from over 200 stores in the two States. Arnott's share price fell 25¢, reducing the value of the company by about \$35 million. About 300 casual staff were stood down and Arnott's destroyed 800 truck-loads of biscuits. This year threats were made to contaminate Sanitarium products in South Australia.

These examples reveal quite clearly the potential damage involved or potentially involved in these incidents. People may suffer harm or death from the contaminants quite indiscriminately; the victim may suffer huge losses in stock, goodwill and share price; there will be general public anxiety and alarm; people may lose their jobs; and copycat offences may result.

Social functioning in the modern age turns on interdependence. Most people rely on the integrity of the production and packaging of goods and services, particularly medicines, food and drink, by others. Few people now produce all their own food and water and other necessities of life. If there is a threat to the integrity of that interdependence, then the structure of modern society is itself under threat. This threat is magnified many-fold when the goods or services are in themselves dangerous, such as mass and individual transportation, chemicals and safety products. This interdependence is the key to the special criminal quality of these incidents.

There can be little doubt that the existing criminal law covers much of the antisocial behaviour which occurs in these incidents. The offences of public nuisance, threats, blackmail/extortion, fraud, conspiracy to defraud, various offences of property damage, endangerment and murder/manslaughter may well apply and usually do apply given the particular facts of the case. But these offences are not sufficient on their own terms in some cases. The reasons are that, first, there are documented cases in which none of these offences occur; and, secondly, the application of the existing offences to some incidents do not adequately reflect the gravity or the essence of the offence in its threat to the general public welfare. In the Arnott's case, for example, the demand was not for money or any other financial advantage but the reinvestigation of a murder conviction. That may not suffice for extortion in some Australian jurisdictions. The Model Criminal Code Officers Committee has documented similar examples in which the existing criminal law may not apply or may be inadequate.



In general terms, the criminal law covers the protection of the integrity of the individual as well as can be expected. The offences of homicide, threats, fraud, extortion, and so on, will deal with the personal consequences of this kind of behaviour. However, existing criminal law is not directed at the kinds of general public harm occasioned in such cases—the public alarm and anxiety, the destruction of stock, the damage to the goodwill and share price of the company, and so on.

The Model Criminal Code Officers Committee therefore recommended the creation of offences which are directed to the causing of public alarm and anxiety and/or the causing of economic loss. The Model Criminal Code Officers Committee took the view that the criminal law had a gap in focusing on such general consequences.

The original statutes aimed at this behaviour were passed in the United States as a result of the Tylenol incident and were then adapted in the United Kingdom. Similar legislation has been passed in Victoria, Queensland and New South Wales. The Model Criminal Code Officers Committee noted the development of this legislation over time, consulted widely, and fashioned its recommendations to represent the best modern proposals.

The Bill introduced into the Parliament is in general consistent with the national model within the limits of differing drafting styles. However, the South Australian draft differs from the model in three vital substantive respects. First, the Model Bill recommended by Model Criminal Code Officers Committee applies in relation to conduct of varying descriptions (acts, threats, etc.) with the intention either of (a) causing public alarm and anxiety or (b) causing economic loss (through public awareness of the contamination).

The Bill as introduced applies in relation to conduct of varying descriptions with the intention of (a) causing public alarm or anxiety; (b) causing loss or harm to another (by any means); or (c) gaining a benefit for himself, herself or another. This last is a large extension. It is not in the Model Bill, because making a threat (for example) with intention to make a gain is classic extortion and normally should be dealt with by that offence.

The problem is that South Australia has an antique extortion/blackmail offence which does not properly cover the situations which may arise. For example, current extortion offences do not appear to cover the person whose gain is simply the venting of a grudge or seeing the victim squirm. The Bill as introduced tries to cover that with an extended definition of 'benefit'.

Secondly, the Model Criminal Code Officers Committee Model Bill is confined to 'contamination of goods' (albeit widely defined), but the Bill as introduced extends also to 'acts prejudicing public health or safety'. The definition at the beginning of the Bill shows how broad this is. Put simply, the offence is getting into what would normally be called 'sabotage'. While South Australian law contains a traditional and modern set of offences against property in the Criminal Law Consolidation Act, it does not yet contain an offence, which might be akin to arson, that deals with massive damage to economic interests or property by the sabotage, or threatened sabotage, of public infrastructure and other instances of a similar scale. That being so, the Bill as introduced differs from the Model Bill in extending coverage to that kind of incident.

It is appropriate to fill these gaps, even at the price of overlap, because the possible conduct and its consequences may be so very serious. If and when a law against sabotage can be enacted and reform of the general law of extor-

tion/blackmail can take place, it may be necessary to amend this law so as to reduce any undesirable amount of overlap and clearly delineate the scope of the offence. The need for national consistency in this area is clear and obvious. It will be kept firmly in mind as the law in this and related areas develops. I commend the Bill to the Council and seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

*Clause 1: Short title*

*Clause 2: Insertion of new Part*

This clause inserts a new Part in the Criminal Law Consolidation Act as follows:

#### PART 7A

#### CONTAMINATION OF GOODS AND OTHER ACTS PREJUDICING PUBLIC HEALTH OR SAFETY

##### 259. Interpretation

New section 259 inserts definitions relevant to the new Part.

##### 260. Unlawful acts of goods contamination or other acts prejudicing the health or safety of the public

New section 260 creates an offence in certain circumstances where a person—

- contaminates goods or commits some other act prejudicing public health or safety; or
- makes it appear that—
  - goods have been, or are about to be, contaminated; or
  - some other act prejudicing public health or safety has been, or is about to be, committed; or
  - makes a threat to contaminate goods or to commit some other act prejudicing public health or safety (a threat includes a threat to be implied from conduct or a conditional threat); or
  - falsely claims that goods have been or are about to be contaminated, or some other act prejudicing public health or safety has been, or is about to be, committed.

Acts prejudicing public health or safety extend (by the definition) to interference with public infrastructure for water, electricity, gas, sewerage etc., public transport or communication systems or other facilities on which the health or safety of the public is dependant. The public is defined to include a section of the public including, for example, consumers of particular goods.

The new offence applies if the person commits such an act intending—

- to cause prejudice, to create a risk of prejudice, or to create an apprehension of a risk of prejudice, to the health or safety of the public; and
- by doing so—
  - to gain a benefit for himself, herself or another (benefit is widely defined); or
  - to cause loss or harm to another; or
  - to cause public alarm or anxiety.

The maximum penalty provided is imprisonment for 15 years.

**The Hon. T.G. ROBERTS** secured the adjournment of the debate.

#### GOODS AND SERVICES TAX

**The Hon. P. HOLLOWAY:** I seek leave to make a personal explanation.

Leave granted.

**The Hon. P. HOLLOWAY:** During Question Time today, the Treasurer challenged me to state my views on comments that were allegedly made by the Federal Leader of the Opposition, Kim Beazley, on radio this morning. I have received a copy of the transcript of that interview with Mr Beazley, and I will quote from it as follows:

JOURNALIST: Bob Carr's campaign. Do you support his call for money raised by the GST to stay in the State where it was raised?

BEAZLEY: No, I don't. But it's the logic of where it is. Now understand this:

He then goes on to make further comments.

*An honourable member interjecting:*

**The Hon. P. HOLLOWAY:** The point of my personal explanation, Mr President, is that, yes, I fully support Kim Beazley's statement that he does not agree with Bob Carr's call for money raised by the GST to stay in the State where it was raised. I fully support Mr Beazley's comment.

#### KOEHNE, Mr G.

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I move:

That this Council congratulates the South Australian composer Graeme Koehne on having his work 'Elevator Music' chosen by the Sydney Symphony Orchestra for performance in the United States as the first event in a year long Olympic 2000 arts program, including a performance at Carnegie Hall on Tuesday 17 November.

South Australian composer Graeme Koehne is rapidly gaining an international reputation for his orchestral compositions. On 17 November this year, his work *Elevator Music* will open the Sydney Symphony Orchestra's concert in Carnegie Hall, New York. The achievement is well worth celebrating. Carnegie Hall is the highest rated venue for the performance of classical music in the United States and, some would suggest, in the world at large. The concert itself marks the beginning of the year 2000 arts program for the Sydney Olympics which gives national significance to Graeme Koehne's work. The performance will be preceded by the composer's giving an introduction to *Elevator Music*. As far as we can tell, Mr Koehne will be the first Australian composer ever to appear on the stage of Carnegie Hall, and certainly this will be the first time that South Australian music has ever been performed in that venue.

For the information of members who may not be familiar with the work of Graeme Koehne, he was born and educated in this State, studying composition at the University of Adelaide under Mr Richard Meale. He was awarded a Harkness Fellowship in 1985 to study at Yale University and, after two years at Yale and a short period of teaching at Armidale, Mr Koehne returned to Adelaide, succeeding Mr Richard Meale as Lecturer in Composition at the University of Adelaide.

Mr Graeme Koehne's major compositions cover a wide range of musical forms, from his *Gothic Toccata*—now the most recorded organ work by an Australian composer—to his symphonic works such as the *Unchained Melody* and *Powerhouse*. On the Sydney Symphony Orchestra's first tour of Japan—in fact, I believe that it was the first overseas tour altogether for the revamped Sydney Symphony Orchestra, this tour taking place in October 1996—Mr Koehne shared the bill with Rachmaninoff, and on the present tour he will be sharing the bill with works by Beethoven and Richard Strauss. This is august company, indeed.

Mr Koehne's artistic collaborations in dance, theatre and film projects include commissions with the Sydney Dance Company and the Australian Ballet. His chamber opera, *Love Burns*, has just completed a run at the Melbourne Festival, and opens in Sydney this weekend. His ballet for the Australian Ballet, titled *1914*, was performed in Adelaide earlier this year, and opens in Brisbane later this month. Mr Koehne's quartet, *Shaker Dances*, has been employed by Leigh Warren and Dancers in their work *Quiver*, which was performed last year, with enormous critical success, has been shown around Australia, and is now planned for national and international tours. In the meantime, in Vienna, a highly successful young string quartet has chosen Mr Koehne's

name for their quartet: it is now known as the Koehne Quartet.

Graeme Koehne's philosophy is uncomplicated and is as follows:

I am writing to communicate at a sympathetic level with my audience. I am not better or more brilliant than they are: I am one of them and I want to write music that we can all enjoy together.

Graeme Koehne is one of South Australia's arts ambassadors. He is quite a passionate advocate for Adelaide and its lifestyle. He is certainly an extraordinarily gifted composer, whose work is bringing status to the arts and to South Australia from wherever his work is performed around the world. I therefore move that, on the eve of his departure, this Council congratulate Graeme Koehne on having his work *Elevator Music* chosen by the Sydney Symphony Orchestra for performance in the United States, including Carnegie Hall on 17 November, and I commend the motion to all members.

**The Hon. P. HOLLOWAY** secured the adjournment of the debate.

#### ELECTRICITY CORPORATIONS (RESTRUCTURING AND DISPOSAL) BILL

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** On behalf of the Treasurer, I move:

That the Bill be restored to the Notice Paper as a lapsed Bill, pursuant to section 57 of the Constitution Act 1934.

Motion carried.

#### ELECTRICITY (MISCELLANEOUS) AMENDMENT BILL

**The Hon. DIANA LAIDLAW:** On behalf of the Treasurer, I move:

That the Bill be restored to the Notice Paper as a lapsed Bill, pursuant to section 57 of the Constitution Act 1934.

Motion carried.

#### INDEPENDENT INDUSTRY REGULATOR BILL

**The Hon. DIANA LAIDLAW:** On behalf of the Treasurer, I move:

That the Bill be restored to the Notice Paper as a lapsed Bill, pursuant to section 57 of the Constitution Act 1934.

Motion carried.

#### SUSTAINABLE ENERGY BILL

**The Hon. DIANA LAIDLAW:** On behalf of the Treasurer, I move:

That the Bill be restored to the Notice Paper as a lapsed Bill, pursuant to section 57 of the Constitution Act 1934.

Motion carried.

#### ADDRESS IN REPLY

Adjourned debate on motion for adoption.  
(Continued from 4 November. Page 136.)

**The Hon. L.H. DAVIS:** I thank His Excellency the Governor for his speech opening this second session of the forty-ninth Parliament of South Australia. One of the prerequisites for good government in any State or country, surely, is a strong and stable Opposition that keeps the

Government of the day on its toes. In South Australia, one can hardly use the words 'strong' and 'stable' when one thinks of the Opposition Party, both in the Legislative Council and in the other place.

In the Legislative Council last session we had the unedifying spectacle of one of Labor's arguably most competent performers, the Hon. Terry Cameron, being forced to resign from his Party because he believed that the privatisation of the Electricity Trust of South Australia was something that deserved to be supported. Given that the Labor Party had created the enormous debt in South Australia through the massive losses of the State Bank, SGIC and Scrimber and other extraordinary commercial activities, the same Labor Party in Opposition has tried at every turn to resist attempts by this Government to overcome the debt problem and to make South Australia competitive again.

The Hon. Mike Rann—who obviously has no opinion of the Hon. Terry Cameron and has not, apparently, been in communication with him for some time—threatened him with resignation if he crossed the floor. He did, indeed, cross the floor, and even though there are many members of the Labor Party—allegedly up to 13—who privately support the sale of ETSA, none of them has matched the courage of the Hon. Terry Cameron in putting their vote where their heart is.

The extraordinary rise of the machine in the Labor Party in South Australia has created an unedifying spectacle. A very interesting article appeared in the *Advertiser* of 24 October, written by *Advertiser* political reporter Phillip Coorey, which seemed to accurately address the subject of the rise and rise of the machine. Coincidentally, in the *Sunday Mail* of 25 October (the following day) a letter to the editor from an obvious Labor member who did not feel that they were able to print their name to the letter (name and address supplied) drew attention to some of the practices in the Labor Party.

*The Hon. G. Weatherill interjecting:*

**The Hon. L.H. DAVIS:** The Opposition is laughing at these serious matters. The letter to the editor of 25 October states:

... I saw the representative of my own sub-branch openly voting against motions designed to give us a greater say on the way the Party functions. I also learned one delegate—

*The Hon. G. Weatherill interjecting:*

**The Hon. L.H. DAVIS:** Well, listen to this, George.

*The Hon. G. Weatherill interjecting:*

**The Hon. L.H. DAVIS:** Well, you tell me afterwards whether you approve of this. I put it on you. If you're so interested in interjecting, see what you think about this.

*The Hon. G. Weatherill interjecting:*

**The Hon. L.H. DAVIS:** Listen to this, George. It states:

I also learned one delegate from the country was threatened with physical violence if he or she did not vote for a certain 'machine' candidate in the State Executive ballot. This is outrageous. If this sort of thing is acceptable to the Party leadership, then the rot has well and truly set in. It is no wonder that people have been leaving the Party in recent years, and I can see this continuing over the next few years unless things change.

I thought that was an interesting summary of what happened.

*Members interjecting:*

**The Hon. L.H. DAVIS:** The Opposition members have come to life in an extraordinary fashion. It's interesting to see that they are still twitching. I want to quote some of the more edifying comments that have emerged from this ALP State conference which was held on a weekend in mid-October. Pat

Conlon, who apparently is one of the new power brokers in the machine, said:

Terry Cameron, after being elected by us, chose to urinate on us, and Ron Williams comes in here tonight with smaller equipment and urinates on us as well.

That is the sort of language that you hear from the leader of the machine. An extraordinary—

**The Hon. G. Weatherill:** At least we let the press into our meetings.

**The Hon. L.H. DAVIS:** We let the press into our meetings, too.

**The Hon. G. Weatherill:** Since when?

**The Hon. L.H. DAVIS:** We always have. Ignorance is bliss on your side of the Chamber. We have always let the press into the annual meetings of State council. That has always been the case. Labor's Gordon Bilney commented on the Federal election as follows:

This sort of light-hearted, unprofessional, incompetent approach to campaigning.

Labor's Chris Schacht, who of course has been a Federal Minister and is a well respected Labor icon in South Australia—a Redleg supporter to boot—said:

It is the worst—

*The Hon. P. Holloway interjecting:*

**The Hon. L.H. DAVIS:** Well, Chris Schacht had only been—

**The Hon. Carmel Zollo:** Why are you smiling, Legh?

**The Hon. L.H. DAVIS:** I'm not smiling—this is serious.

Let it be put on the record that Opposition members are pouring scorn on one of the icons of the Labor Party, Chris Schacht, who for many years was the Secretary of the State Party. He said:

It is the worst result since the Party was split apart during the 1930s when we had three Labor Parties running around in South Australia.

State Executive member Ron Williams said:

Any one of you who happen to have been to a sub-branch lately will know, people are pissed off.

We do not use that sort of language in the State Council of the Liberal Party. We have robust discussion, but we certainly do not use the language that one would have heard from people such as Pat Conlon. Pat Conlon went on to say at the conference:

I want it understood in this Party that they did nothing for us in Makin except undermine us.

Clearly, he was referring to the former Labor member and Minister, Peter Duncan, who served the Labor Party over many years at a State and Federal level, and also the local member Frances Bedford. From the transcript of the 5AN AM program on 19 October 1998, Mr Pat Conlon said:

Peter Duncan did do a great job holding it in 1993—

that is, the Federal seat of Makin—

... and we went and asked him for help too, and we got nothing from him. Nothing. Not his database, not his volunteers, not his network, nothing. It is time to say some of these things because it annoys me that people like Fran and Peter Duncan actually have some half decent people in their floor. I want it understood in this Party that they did nothing for us in Makin except undermine us.

I have a smattering of legal training, and I would have to say that statement appears to be somewhat defamatory. My understanding also from impeccable Labor sources is that, in fact, although—

**The Hon. R.R. Roberts:** Rats are not impeccable.

**The Hon. L.H. DAVIS:** It is not from the Hon. Terry Cameron if that is to whom you refer, because you only call him a rat—

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

**The PRESIDENT:** Order!

**The Hon. R.R. Roberts:** You called him a rat, not me.

**The Hon. L.H. DAVIS:** You did.

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

**The Hon. L.H. DAVIS:** Well, read the transcript tomorrow.

**The Hon. R.R. Roberts:** I don't have to read the transcript.

**The Hon. L.H. DAVIS:** I watch your lips, and that is all you ever call your former colleague.

Mr Pat Conlon claimed that the Labor Party did not get the database that Peter Duncan had from him. That was some accusation. My understanding is that he did not have the database to give. It seems that Mr Conlon, whilst he pretends to be a pugnacious player in the machine, is somewhat loose with the truth.

The channel 9 News of 17 October 1998 led with the following story:

Claims of betrayal, hypocrisy and incompetence have torn apart the SA Labor Party in 24 hours of bloodletting. The Party leaders have fought off moves to curb union power.

That would not include Mike Rann, because he was nowhere to be seen. Perhaps he was out bush walking and not at the conference, because he was not heard. It continues:

They've also rejected calls for a Federal election *post mortem*.

Pat Conlon was quoted on the channel 9 News as saying:

If you want to destroy this Party, if you want to destroy the heart, the intellectual heartbeat, the funding of it, we'll take the unions out of it and leave it to you and your little cronies.

That was in response to a bid by the members of the sub-branches and others to cut union power over candidate selection and return some of the power to the people in the Party. The Opposition Leader, Mike Rann, avoided the argument, and State Secretary, Ian Hunter, was dismissive of calls for reform.

As the channel 2 News of 17 October noted in its concluding comment on this debacle at the annual Labor Convention:

Mike Rann usually answers questions from the media after delivering his address. This year he didn't.

On 5AN on 16 October Alison Rogers interviewed Ron Williams of the ALP. Ron Williams, who had been a well respected member of the State Executive of the ALP, said:

The left-right machine is strangling the Party. It's worse than constipation. The machine, the socialist left-right machine is strangling the Party here in South Australia. There's no freedom of thought. People are coerced into decisions by threats of lack of preselection, threats of not gaining support for Party decisions, so hopefully sub-branch members need to know that has to be addressed. . . We need to change the rules. There are two motions there tonight that need to be addressed. The two most important motions of the whole convention are—the first is a proposal that sub-branches be given 50 per cent vote when it comes to a preselection ballot. That means the sub-branch will have 50 per cent say in who their candidate will be. The other motion that's up for the convention is a proposal that we postpone the election of the State and Assistant State Secretaries until we have an independent inquiry into the shocking result at the last Federal election here in South Australia.

Of course, the extraordinary thing is that these people opposite are quite happy for the State Secretary of their Party who ran the campaign which saw a lower primary vote for the ALP than previously, an extraordinarily bad result, to be in

charge of the review of the campaign. This is Caesar judging Caesar.

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

**The Hon. L.H. DAVIS:** So, Ron Roberts accepts that the State Secretary who ran such a disastrous campaign for the Labor Party at the 3 October Federal election should be in charge of reviewing the campaign. When you have luminaries and well respected people in the Labor Party, such as Gordon Bilney, Chris Schacht and others, making remarks in public about the lack of organisation and the poor campaigning at the Federal election and when you have Mike Rann as Leader abdicating any leadership or any interest in the issue, to me that indicates that it is something that the Labor Party should be worried about. It is quite clear that The Machine is working like a pincer movement to strangle the Labor Party and, of course, this is reflected in the open antagonism in the Parliament among some of the members in the Labor Party.

Having addressed that matter, can I proceed to a more pleasant duty, that is, to review the progress of the City of Adelaide. I want to do it in the context of what I thought was an extraordinarily fine article by one of Australia's finest visionaries, architect Philip Cox. This article appeared—

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

**The Hon. L.H. DAVIS:** You just shut up and listen, Ron; it might do you good. This article appeared in the *Australian* of Friday 18 September. Philip Cox is a revered architect. He is designing the National Wine Centre, which has already won early plaudits for its design, situated as it is on the corner of Hackney Road and North Terrace. Philip Cox is involved with the landscaping in and around that National Wine Centre and what is known as the Botanic Precinct, which will also include the International Rose Garden. Philip Cox writes about the cities of Australia, and he writes about them with feeling, passion and knowledge. He states:

Sydney proclaims itself as the most important Australian city with a population of more than 4 million people. . . Sydney considers itself as a 'world city', ranking with London, New York and Paris. By virtue of its harbour setting and its two icons, the Harbour Bridge and the Opera House, the city is saved aesthetically; otherwise it looks like a bad case of urban acne. It's a larrikin city; non-planned, dishevelled, a loose-fitting system of gridded streets remaining from first settlement. It has no major squares or plazas, except for Martin Place, a street closed to traffic. Macquarie Place and Chifley Square are the most interesting of all spaces, and offer the city a string to develop a necklace of spaces.

Failing to understand that the simplest way of achieving coherence in a city is landscape, the city fathers are hell bent on going in the opposite direction.

**The Hon. R.R. Roberts:** And mothers!

**The Hon. L.H. DAVIS:** Just be quiet, Ron. He continues:

They have sold a public road to developers for the most gigantic urban blunder—the East Circular Quay development. East Circular Quay is not the architect's fault; it is the absurdity of the proposal and a lack of planning vision.

It would be easy to reinforce the landscape and parkways to make Sydney cohesive; instead, the park system is dislocated within the parks system.

Mr Cox goes on to say:

Sydney, the living city, has become the slogan of the Sydney City Council. The new 'living' apartments do zero for the urban or architectural fabric of city and because of low accommodation standards may become ghettos of the future.

Of course, that is a fairly stinging criticism of the major city of Sydney, with its population of around 4 million. I can only endorse his remarks in respect of East Circular Quay, because to believe that the city council and the planning laws could allow for such an extraordinary blunder where the magnitude and magnificence of the Opera House is obscured and

reduced by the East Circular Quay development is simply beyond belief. Mr Cox then talks about Melbourne and starts by saying that:

Melbourne likes comparing itself to Sydney. . . where a paranoia exists that Sydney might be better.

If I may interpose, the Premier of Victoria, Jeffrey Kennett, a most colourful character, has made the point that that battle no longer exists. He accepts that Sydney is the premier city of Australia, and in recent times has urged Melburnians to get on with the business of living and building up the unique characteristics and advantages of their city. I think that was a very mature if not realistic statement. Philip Cox says:

Melbourne is a city planned by Robert Hoddle; coherent and characteristic of European cities with tree-lined streets, cafe society and boulevards. Until recently, our second most populous city of 3.5 million turned its back on the Yarra River. Railways and ports were built, obliterating much of the urban opportunities of the relationship of river to city. Now Melbourne has a new focus; the Yarra. Hotels, commercial buildings, a casino and convention centres now grace the cleaned-up stream.

Philip Cox observes correctly:

Melbourne has no great icons. It suffers in urban terms from phallic envy. There is talk about a mile-high building for Docklands. To interpose there, it is absolutely true that Melbourne did suffer through the 1970s and 1980s an inferiority complex. They recognised that they had lost the race to Sydney, had trouble in identifying a focus for Melbourne and it was not until they discovered that the much reviled River Yarra offered advantages that a new energy, a new direction and a new confidence returned to Melbourne. It is no coincidence that the gravity and the centre of the city in Melbourne is shifting steadily away from what had previously been the heart of Melbourne to the South Bank and beyond towards St Kilda.

**The Hon. Sandra Kanck:** We were told that the sale of the State electricity utilities were the cause of that.

**The Hon. L.H. DAVIS:** Sandra, I think you have missed the point altogether, but let me say that comes as no surprise. Mr Philip Cox states:

Melbourne's architecture is better than Sydney's. It has maintained a quality and urban dignity for more than 100 years. There is greater concern for design in Melbourne, in contrast to the 'She'll be right mate' attitude of Sydney. Melbourne has a distinct 'Victorian' character resulting from 19th century wealth. The preservation of building facades, characteristic of Sydney, is absent. Buildings worthy of preservation remain in tact. Melbourne will soon have much to offer, with new art galleries and museums being constructed, giving vibrant and interesting arts programs unparalleled in Australia.

Mr Cox then moves to Brisbane. Brisbane is the fastest growing city in Australia with a growth rate of 14 per cent in the five years from 1991 to 1996. It has a population now in the order of about 1.4 million people. Cox makes this comment:

Brisbane rivals Sydney in being the longest linear city. From the Sunshine Coast in the north to the Gold Coast in the south, Brisbane, although administered by separate local government authorities, in reality is continuous.

Brisbane's central business district has developed along the Brisbane River.

He then comments:

The city has an easy charm, with fig trees, jacarandas, and palms reminiscent of the romance of New Orleans and the Mississippi, lessening the impact of buildings along the muddy river. Brisbane City Council has set up an urban renewal task force. This has spearheaded the renewal of defunct areas along the river, such as the old wool stores at Terrenifere and CSR properties.

Finally, he notes:

South Bank, the site of Expo 88, is the focus for cultural life. Like its sister cities in the south, there is the arts complex—including Performing Arts Centre, Convention and Exhibition Centre—and the Queensland Conservatorium for Music, public parks, apartments and commercial buildings. . . Due to its sub-tropical environment, Brisbane of all Australian cities creates a languid mood.

He then moves to Perth, and Philip Cox has this to say about our western-most capital:

Everybody falls in love with Perth: unambiguous, visually realisable, a true polis or city State. There is only one main street in Perth, fondly called the Terrace. The robber barons of the 80s built their memorials of power along this strip in the time of Australia's greatest economic boom.

Perth has the advantage of major parklands adding to its clarity. The Swan River has been reclaimed in part so that the city sits on a firm green parklands rather than the river. It is a pity that it does not have true contact with the Swan. The city celebrates the river only at Fremantle, the spiritual home of Perth, the landing place of the first settlers and the scene of the Americas Cup.

He then makes the observation that Premier Richard Court in his vision for Perth is focusing attention on several sites. Philip Cox says:

As Paul Keating has remarked, unless Premiers get involved with and are passionate about the planning of their cities there is little hope of any renaissance occurring.

I think that is true. He concludes his remarks about Perth by saying:

The architecture of Perth, apart from high-rise buildings, is memorial for its reference to Mediterranean architecture; chalk-coloured walls with orange tile roofs.

Perth, incidentally, has a population of about 1.3 million people. Then he turns to the city that we call home, Adelaide. Philip Cox talks about Adelaide kindly and says:

Adelaide always had a visionary plan where William Light and John Hindmarsh devised an intriguing system of squares and parklands. There was no necessity to build any high-rise buildings in Adelaide. The articulation of the central Victoria Square and the other four peripheral urban spaces depend upon four or five-storey buildings, similar to Bath or the London squares. Abrupt change of scale distorts the spaces and makes nonsense of this city of church spires and towers. Adelaide has a feeling of age—it feels turn-of-the-century, and this may be its greatest asset in time.

If I can interpose there, I think that is also a very true statement and I know that on more than one occasion I have reminisced about how nice it would have been, how much foresight would have been shown, if the city fathers of the 1960s had set down the planning laws that we see in European cities such as Paris, where height restrictions limit city buildings to, say, no more than six or seven stories. We could have had an old Adelaide replete with that Victorian charm and magnificence of the sandstone and bluestone buildings of the period from an age when we had a very wealthy colony. Indeed, we could have maintained an old Adelaide east of King William Street—the Kings Way—and created a new Adelaide west of King William Street. That opportunity has been taken in some cities, such as Montreal, but that has passed the city of Adelaide. Then Cox concludes his comments on Adelaide by saying:

The city of the arts doesn't utilise the Torrens River, and relies on its green belts for distinction and recreation. This is now being addressed by Sir Norman Foster, the British architect, who is preparing a plan for this precinct.

I have to say that there is not one thing that I disagree with in that very pithy and heartfelt summary of the capital cities of Australia. We must remember that over 60 per cent of Australia's 18.7 million people reside in the major capital cities. Those cities are surrounded by water. They are all built by the sea, reflecting, of course, European settlement of the

late eighteenth century and early nineteenth century. Brisbane, Sydney, Melbourne, Adelaide and Perth all have in common the fact that they are surrounded by water or there is a river—if one can use that term in Adelaide—running through the heart of the city.

As Philip Cox has accurately observed, in Brisbane and in Melbourne in the past decade they have made use of water to add energy, vision and splendour in developing a new precinct for the people. Of course, that has also occurred in Sydney with the creation of Darling Harbor—perhaps not the purist's cup of tea but, nevertheless, a weighty visitor attraction. Adelaide, it seems, has felt constrained from looking at the Riverbank precinct because, of course, our parklands are regarded as pristine. I am delighted to see that the South Australian Government has commissioned a team of international and South Australian architects and urban designers to look at the Riverbank precinct, which includes the Festival Centre precinct and the area between King William Road and the Morphett Street Bridge, between the southern side of the Torrens River and North Terrace. The precinct encapsulates the Festival Centre and also brings in to play the Casino, the Hyatt Hotel, the Convention Centre down to Morphett Street Bridge and has an enormous potential.

My colleague the Hon. Robert Lucas is involved in the Cabinet team which is steering the Riverbank proposal and people who enjoy high reputations in this important area, such as Mr John Bedford from Hassell, have been involved in extensive community consultation. I was pleased to attend a public launch and discussion of the Riverbank proposals in Elder Park on Saturday 17 October where South Australians were invited to participate and add their ideas to what may be done in this exciting precinct.

I must commend the Government for its commitment to spend \$55 million expanding the Convention Centre and also spending \$18 million upgrading the Festival Centre, including the external public spaces. The Festival Centre is, of course, one of the great assets of South Australia, but I think there would not be too much disagreement if I said that, sadly, the Festival Plaza in the area immediately to the north of Parliament House has not worked. It is a soulless, lifeless pace, overwhelmed with concrete pebbling, not particularly attractive and obviously constrained by the limitations put on the space by the Festival carpark beneath. The Hajek sculpture may well be a heritage item, but I will not buy into the controversy of that. Certainly, one of the challenges of the team commissioned to prepare a master plan for the river precinct is to find a way to open up the area and make it enticing for the people of Adelaide.

Anyone who has been to Melbourne knows full well how so many people come from their places of work in Collins, Bourke and Elizabeth Streets and go down over Spencer Street and across the pedestrian bridge into Southbank to shop or to go to restaurants, and some of them even may go to the casino. It is possible for this to happen in Adelaide but it will require planning and education.

At the heart of all this, as Philip Cox said, it is important to have a Premier who is committed and has passion about the city of Adelaide and about the planning of the city. I am pleased to say that Premier John Olsen has shown a great interest in and awareness of the important issues of Adelaide and the need to develop visitor precincts such as the National Wine Centre, along with the International Rose Garden, linking to the tropical conservatory, the Botanic Gardens and the zoo, creating a brand new and exciting visitor precinct for local, national and international visitors. In addition there is

the North Terrace cultural precinct and that exciting and recently developed precinct in Rundle Street East which caters so well for the dining and wining interests of the community.

I am also pleased to put on record the commitment not only of the Premier to the fabric and energy of Adelaide but also that of the Lord Mayor, the Rt Hon. Jane Lomax-Smith, who has shown a great sensitivity, interest and style in her approach to the issues that matter.

There are little touches that we are already seeing, for instance, the wonderful Mintaro slate paving on both the eastern and western sides of King William Street. After decades of debate, at last the Beehive Building on the corner of Rundle Mall and King William Street has been refurbished and people who have walked past there have seen what a gracious and magnificent building it is.

However, past councils have not had their priorities right and, although it may be controversial, I want to refer to the extraordinary decision, in my view, of the Ninio led Adelaide council which made a decision to spend about \$500 000 developing and supporting an outdoor restaurant in the north-western section of Victoria Square.

I am not raising this issue because a former politician, Peter Duncan, is involved, nor am I taking advantage of the unfortunate financial situation which has recently been made public with respect to this restaurant, but my colleagues would know that privately I have expressed concern about this *ad hoc* approach to planning.

Victoria Square was planned by Colonel Light as the centre of Adelaide, and the square was not addressed in a holistic manner by the council. To siphon off \$500 000 to back an outdoor restaurant with no consideration of what would happen to the rest of the square was beyond belief. Could that council say today or even at the time it made the decision that money could not have been spent better elsewhere when, for years, this committee city has been looking at the refurbishment of the greatest precinct that we have in Adelaide, that is, North Terrace, where the poles still rust, where the signs are still limp and where there is still so much work to be done?

There is a mighty challenge here to rejuvenate South Australia, and this Government is well aware that, in the years since the State Bank debacle of 1991, the number of people working in Adelaide has decreased from 97 000 to about 77 000 people. That is a decline of 20 per cent in the number of people working in the city. It is significant in terms of the spending power that is made available through people visiting attractions and shops and spending money on food, clothing and entertainment. This Government, and particularly the Premier and the Treasurer, know full well, as does the Lord Mayor, that a high priority must be placed on bringing back people to work in Adelaide.

So, the Riverbank precinct is an exciting proposal, and I am delighted to see that the State Government has engaged international as well as local designers to take a fresh look at this project. Foster and Partners and Peter Walker and Partners, who enjoy international reputations, have been appointed together with Hassell and Woodhead International, who are leading Adelaide based companies.

As the Hon. Mr Lucas said just three weeks ago in announcing the plans for Riverbank, these consultants will produce a master plan over an eight week period. The plan will provide a general layout for upgrade of the State's key convention and performing arts facilities and improved open space, vehicle access, landscaping and walkways, linking the

Festival Theatre, Adelaide Casino, Hyatt Regency and the Convention Centre.

As we come to the next century I believe this will be a landmark project for Adelaide, something which not only will rejuvenate the city and become the focus for local and national interest but also will be much admired by international visitors to the city of Adelaide.

**The Hon. R.D. LAWSON (Minister for Disability Services):** I thank and commend His Excellency the Governor for the speech with which he opened this session of Parliament and I also express my gratitude and appreciation to His Excellency and Lady Neal for the dedicated manner in which they are discharging their Vice Regal functions for the benefit of the whole of the South Australian community. The way in which His Excellency and Lady Neal have opened Government House to a wide range of community organisations and charities and the hospitable manner in which functions are conducted at Government House is a great credit to them and it is much appreciated by the wider community.

Last month I was honoured to be appointed to the additional portfolios of Administrative Services and Information Services. In this portfolio I am the delegate Minister of the Minister for Government Enterprises (Hon. Michael Armitage), and for the benefit of the Council I propose to outline some of the significant undertakings which the Department for Administrative and Information Services has undertaken, with particular reference to those functions in respect of which I have ministerial responsibility.

The Department for Administration and Information Services has a number of sources, and in recent years there have been (and must be admitted) a number of reorganisations and rearrangements of the Government functions presently handled by that department and by the Ministers who have ministerial responsibilities in respect of those activities.

I think it is unnecessary to go through the history, and time would probably not allow it in any event, but the department has a wide variety of functions. Those for which I have responsibility include agencies such as Fleet SA, Forensic Science, Central Linen, State Records, Information SA, the Land Services Group, the Government Innovation and Information Group, and Information and Telecommunications Services, as well as Supply SA, real estate management, building maintenance and management.

Some of these functions are often overlooked when people examine the functions of our Government, and I think it is appropriate that some mention be made of these significant endeavours. Information and Telecommunications Services is an important part of the Information Services portfolio. This section supports the Government and agencies in managing strategic supplier contracts, for example, the EDS infrastructure contract which commenced in 1996 and which has already delivered substantial employment and economic benefits to this State.

It also supports telecommunications services, mobile telephones, local and international calls, information technology contracting and client application services, including desktop software, payroll and messaging. I think some of the recent achievements of this section are significant and should be mentioned. For example, the number of participants and users of the Government's exchange messaging service has increased by 6 000 over the year to 30 June 1998, and there are currently 10 000 users.

The Microsoft Select Agreement, which has mandated the use of particular computer software, resulted in savings of in excess of \$2.5 million in the last financial year. Innovative projects have enabled over \$2 million to be saved on long distance and international telephone traffic for Government. The amount of \$1 million has been saved through the implementation of whole-of-Government pricing arrangements for mobile telephone services. So, this Information and Telecommunications Services group has implemented the Government's whole-of-Government approach to information and communications services policy, project and contract management.

Information SA is a small agency which provides information in a rather more traditional form. It operates the book store in Grenfell Street and provides a one-stop shop service for Government agencies and for the wider community. Its services include the sale of legislation, *Hansard* reports—the Hon. Ron Roberts would be delighted to know that the sale of *Hansard* is expected to make a significant contribution to the South Australian Treasury—parliamentary reports and agency publications.

The service also provides a free community information service. It received approximately 55 000 requests for community information during the last financial year. Its call centre services were expanded to include rural link, which provides the rural community with a freecall 1800 community information service to enable access to Government services.

Fleet SA is an agency which is conducted through the Department for Administration and Information Services. In conjunction with Supply SA and the Government Businesses Group, Fleet SA has re-engineered the vehicle disposal processes, the end of hire, wear and tear maintenance, mechanical repairs, vehicle detail and sale report functions and has maximised the return to Government from the sale of fleet vehicles at public auction. Fleet SA provides a fleet management service, notwithstanding the fact that the ownership of the fleet has been divested to the Commonwealth Bank.

I think it is worthy of note that the fleet management services are highly professionally conducted. Gail Casey, the Director of Fleet SA, won the 1998 Fleet Manager of the Year award from the Australian Fleet Managers Association. She was selected for this award from fleet managers in both the public and private sectors across Australia. That award not only is a significant accolade to Ms Casey herself but also is testimony to the efficiency and innovation of Fleet SA.

Forensic Science is another one of the many miscellaneous units which have come into the portfolio. The activities of this section, as its name suggests, include the provision of services to the South Australian justice system, assisting the South Australian Police Department in its investigations and also the justice system generally. Forensic Science also supports the South Australian Coroner in establishing the cause of some deaths and the Office of Road Safety in investigating the prevalence and role of alcohol and other drugs in the large number of non-fatal car accidents in South Australia.

The number of drug cases in which forensic science has been involved over the past three years has been quite significant. In each of the years the increase has been approximately 25 per cent per annum. In 1997, for example, some 592 drug cases were dealt with by forensic science, and of course it is involved in the ever expanding field of DNA testing.

State Records is an agency which has recently received statutory recognition in the State Records Act of 1997, which came into force at the end of October in that year. The legislation requires State Records to promote good records management for the whole of Government, to ensure that official records of enduring value are preserved, to be the principal repository for official records and to provide access to Government agencies and the community. This is a significant task. For example, the volume of paper-based records in agencies in the State Government is still extremely large; it is estimated at over 200 000 shelf metres of records. There is a need to promote awareness of the formal requirements for disposing of official records, and that function is vested in State Records. It has a number of challenges, not the least of which is the management of electronic records. This is an area requiring increasing attention, where the whole of Government needs careful guidance and appropriate policies.

During the past year a records management software package called RecFind was mandated for use across the public sector, and about one-third of public sector agencies are now using this software. The Land Services Group is a separate group within DAIS, and it provides an effective and Government guaranteed system of land titling. The Torrens title system of land registration and management was first established in South Australia in the 1860s and was finally perfected in the Lands Titles Act of 1886, but we have not stood still. The Lands Titles Office has gone on developing better and better systems and in many respects we are leading the world in this field. The Land Services Group has within it the Lands Titles Office. It also has the surveying function of the Government, with the Surveyor-General and his team of surveyors providing land boundary security; and also the Valuer-General, with statutory responsibility to provide an impartial property valuation service for the benefit of the community generally, for Government and also of course business.

I think it is interesting on this account to record that in the past financial year some 750 000 valuations were made with a total site value of \$46.7 billion and a total capital value of \$94.5 billion. Although from time to time one hears complaints about the valuations given by the Valuer-General, it ought to be recorded that some 99.48 per cent of valuations made were accepted by land owners in the past financial year. The computerisation of the title register has continued and as at 30 June some 67 per cent of lands titles had been converted. The Land Ownership Tenure System (LOTS) was developed in South Australia a number of years ago, with a computer software system being devised. However, that is being migrated into a new open systems environment, and that process, which is highly difficult and complex, is continuing.

The real estate management obligations of DAIS are many and varied. For example, real estate management provides Government employee housing to some 1 774 tenants. It is interesting to note that an extensive survey of customers of that service identified a high degree of customer satisfaction. Building maintenance and management services are also an important part of the portfolio, and some smaller agencies such as Central Linen should be mentioned for the sake of completeness. Members might be aware that tenders were called for the sale of Central Linen, which provides linen and clothing services, mainly to the South Australian Health Commission; and the result of that process has not yet been finalised. SPRINT provides commercial printing and document copying services to public sector agencies. Tenders

were also called for the sale of the assets of that business unit and the contracting out of its business services. However, that process failed to yield the Government's criteria and expectation, and future options for SPRINT are currently under review.

One of the important functions of the department is the oversight of the EDS outsourcing arrangement. It is worth recording that that process is continuing and also that EDS has brought to South Australia a considerable number of economic benefits, for example, the establishment of the Asia Pacific Resource Centre and the Information Processing Centre (the IPC). The Asia Pacific Resource Centre includes the Asia Pacific Education Centre, which has conducted training within the Adelaide Institute of Technical and Further Education, although I understand that, when the EDS building on North Terrace is opened later this year, those education functions will be removed to that building. Some 6 000 EDS employees have come through that centre, with considerable economic benefits to this community. Presently some 700 people are employed by EDS in this State. That is an increase of over 500 people on those who were working there at the time of the commencement of the contract.

It is very clear that there have been substantial economic and employment benefits for South Australians. Only 200 State Government employees moved to EDS in April of 1996, but the new work force includes many graduates, most of them from South Australia. It includes most of the IT professions such as software engineers, programmers, project managers, database administrators, systems operators and network administrators. The Asia Pacific Solution Centre, which provides software engineering solutions for companies in Australia and overseas, has doubled in size in the past year and intends expanding from 120 employees to around 300 over the next 18 months. EDS has provided significant employment opportunities for a large number of South Australians, and some of the innovative projects that are being undertaken are worthy of great commendation—for example, the Asia Pacific Millennium Centre and the Asia Pacific Internet Data Centre, which has been established in a separate facility at Kidman Park.

It will be seen from the foregoing that DAIS has a large number of tasks. It is a very forward looking department. It is a department that is very closely focused on improving performance and improving management and securing best value for money in the fields of purchasing and contracting. It is also dedicated to improved project outcomes and, effectively, managing risk, as well as enhanced service responsiveness and accessibility to Government information. I believe that the South Australian Government and the community is being extremely well served by this department and this portfolio.

I should also mention Supply SA, which is an organisation established by statute and which has taken a considerable lead in innovative developments. The board was established by the State Supply Act of 1985, and it administers the provisions of that Act. Its principal function has been:

... to undertake provision for or control the acquisition, distribution, management and disposal of goods for or by public authorities.

The board is also required to develop policies and guidelines relating to those responsibilities. The board has a key role in the Government's procurement reform strategy in agency accreditation, the development of procurement competencies and also strategic contracting. It has been a most innovative and groundbreaking unit within the portfolio.



So, I am looking forward to taking up the challenge of this new portfolio responsibility and of ensuring that the South Australian community receives good value from the dedicated, highly trained and experienced personnel within DAIS.

I am delighted that I am continuing in my role as Minister for Disability Services and also Minister for the Ageing. I believe that it is worth mentioning on occasions such as this the basis upon which we as a community, as a Government and as a State respond to the challenges facing us. His Excellency's speech has outlined some of the significant challenges ahead of us and the solutions in legislative and policy terms regarding certain aspects. Disability is an important and significant aspect of life, and I make no apology for taking some of the time of the House to restate those important principles which underlie our response to the challenge of disability.

I suppose the first question is: what is meant by disability? I believe that there is a misunderstanding in the community about the precise nature of disability and a misunderstanding of the difference between disability, on the one hand, and some medical illnesses, conditions or disease on the other hand. In the Disability Services Act, which was passed in 1993, there is a definition of 'disability'. In relation to a person, 'disability' means:

- ... a disability—
- (a) that is attributable to intellectual, psychiatric, cognitive, neurological, sensory or physical impairment, or a combination of any of those impairments; and
  - (b) that is, or is likely to be, permanent; and
  - (c) that results in the person having—
    - (i) a reduced capacity for social interaction, communication, learning, mobility, decision making or self care; and
    - (ii) a need for continuing support services,

Disabilities are not only those that are constantly occurring but also those that occur by way of some episode from time to time. So, it is a wide definition. The number of persons in South Australia with various forms of disability have been estimated to be in excess of 100 000. Thus, there is a significant number of people in our community who are or who will suffer from some disability at some time during their life.

The principles that we ought to adopt in relation to those with disability are once again recorded in the Disability Services Act. I believe that they are frequently overlooked, and we ought to remind ourselves of them from time to time. Those principles include, first, the principle that persons with disabilities, whatever their origin, nature or degree might be, are individuals. As individuals, they, like all members of our community, have the inherent right to respect for their human worth and dignity. They have the same fundamental human rights and responsibilities as other members of our community. They have the same right as other members of the community to realise their potential for intellectual, physical, social, emotional, sexual and spiritual development, and they have the same right as other members of our community to choose their own lifestyle and generally control their own lives. People with disability have a right to protection from neglect, abuse, intimidation and exploitation. They have the same right as other members of the Australian community to the assistance and support that will enable them to exercise their rights, discharge their responsibilities and attain a reasonable quality of life.

In receiving the services that supply such assistance and support, persons with disabilities have the right to choose between those services and to choose between the options

available within a particular service so as to provide assistance and support that best meets their individual needs—and that include their cultural needs.

In receiving services, persons with disabilities also have the right to expect that those services will be provided in a manner that involves the least restriction of their rights and opportunities, that takes into account their individual needs, goals, age and other personal circumstances, and any further disadvantage that may be suffered as a result of their gender, ethnic origin, Aboriginality, financial situation or location.

Finally, in receiving those services, persons with disabilities have the right to pursue any grievance in relation to those services without fear of the discontinuance of services or of recrimination or retribution from service providers. They are important principles. As I said at the outset, they are often overlooked. I believe it is important that we all remind ourselves from time to time of their existence so that we can have a better appreciation of the implications of those principles.

One of the things that I have learnt from the Disability Services portfolio is that not only is there a great deal of diversity amongst those who suffer disability, as one might expect in any substantial group of individuals, but there is a tendency to categorise people with disabilities by reason of their particular disability. Every case should be regarded as an individual case. When one looks at the wide variety of service providers across the whole sector, one appreciates that there is great diversity.

I want to mention some of those service providers, because once again in my view they are unsung heroes in our community. The CSDA minimum dataset collection provides basic service and service recipient information from data items that are common to most types of services in the disability area. Under this form of data categorisation, there are several categories worth mentioning: accommodation support, community support, community access, respite, employment, and other services.

I want to mention accommodation support because in South Australia there are about 50 separate organisations ranging across a substantial variety and size that offer accommodation support. For example, the Bedford Industries Rehabilitation Association has a residential facility at Balyana, which is situated close to the Bedford Industries workshop at Panorama. Balyana accommodates only a small number of people who are employed at Bedford Industries, which is a most innovative, exciting and worthwhile organisation.

I recently had the opportunity to inspect the services of Bedford Industries. The wide range of programs that it offers and the wide variety of commercial activities, all with a rehabilitation focus, is truly impressive. The enterprise of the managers of the organisation is worthy of high commendation. Bedford Industries has been a substantial South Australian success over a long period of time, but, as I say, it also provides supported accommodation at Balyana in an extremely attractive and supportive environment.

The Intellectual Disability Services Council supports—and I refer here to the estimated number of consumers over a period of one year—386 people at its Strathmont facility at Oakden in the northern suburbs of Adelaide. Strathmont was built in the 1970s according to the philosophy of that time, and it is undergoing re-examination at the moment.

I was present when one of the units at Strathmont, Bungara Villa, was reopened after substantial refurbishment. That was actually a pilot program to determine whether or not

Strathmont could be redeveloped. Whilst part of the campus is not being used, active consideration is being given to the proposal to develop a nursing home for people with disabilities on a site at nearby Hampstead.

Julia Farr Services is another accommodation service largely funded by the South Australian Government. At its Fullarton campus, there are now 222 residents. There was a substantially greater number of residents in the past, but the prevailing philosophy is to encourage people to return home or to occupy accommodation in the community rather than institutional accommodation of the kind which was previously popular.

Minda Incorporated has provided for 100 years—this being its centenary year—services for those with intellectual disabilities. At its Brighton campus, it provides a substantial residential facility. The organisation also supports many community homes, typically with four, five or six people. I was present recently at the opening of one such facility in the southern suburbs, which once again demonstrated Minda's commitment to innovative service programs.

A large number of organisations (27) occupy group homes for people with disabilities, whether physical, intellectual or multiple. For example, the Ain Karim community is based upon a Catholic order which has, I think, three sites in the northern suburbs. It is supported by the church as well as being funded through State Government programs. It is also largely supported by the families and carers of the residents. At Ain Karim, a number of people with disabilities who are capable of working in sheltered situations reside in a happy, loving and supportive environment.

The Community Accommodation and Respite Agency (CARA) operates a number of group homes as well as respite services. CARA grew out of the former Spastic Centres of South Australia, which got out of institutional care and moved its focus into community accommodation. It is a most dedicated and professional organisation. Hills Community Options is another small group that supports some 19 clients in the Adelaide Hills area. I was present at the opening of the office accommodation for Hills Community Options in Hahndorf and was most impressed by the commitment of local service clubs and other community organisations to support those people living in their accommodation.

Laveda Incorporated provides services for about 40 people. The residents at Laveda are those with very high support needs. Many of them were formally in the Rua Rua Hospital, which was conducted by IDSC and which was very much a traditional form of institutional care. Laveda is a great testament to the dedication and commitment of a number of parents and families and also the cooperation of the management of the IDSC in a program which has delivered very good quality of life to a number of people. There are many organisations of this kind. In the months in which I have been in the portfolio I have spent a good deal of my time familiarising myself with the needs and the aspirations of many service providers and also those who are their clients.

Attendant care is another form of accommodation support. The Paraplegic and Quadriplegic Association of South Australia supports a large number of clients with this form of care in their own homes. In-house living support is provided by about 20 agencies across the State. The Royal Society for the Blind, for example, has a very large program that supports people in their own homes with living support mechanisms. Community support is also offered, for example, by the Brain Injury Network of South Australia, which estimates that it has some 800 customers a year. Recreation programs are offered

as a form of community support; also, advocacy and information programs. Early childhood intervention programs are provided by the Arthritis Foundation and also by Townsend House.

Townsend House is an interesting case. It operates from a campus near Brighton and has for many years provided educational services for blind children or those with severe sight impairment. A number of organisations provide recreational programs, such as Riding for the Disabled, the South Australian Sport and Recreation Association for People with Intellectual Disabilities, Saint Ann's Special School and Townsend House. I was recently at an expo conducted by the Royal Society for the Blind at Blacks Road, Gilles Plains and saw there demonstrated a large number of different sporting programs, from cricket, athletics, weight lifting, ten pin bowling, cycling, and many others, for those with sight impairment, which are supported and assisted by various sporting organisations and other committed persons.

Therapy is very important and is provided as community support to about 2 000 people through Government funded programs. Options coordination has been an important service delivery mechanism, and it provides services to some 3 500 persons in family individual case practice options. These options coordination agencies are spread right across the State. Counselling services are also provided to over 3 000 persons through organisations such as the Neurological Resource Centre, the Royal Society for the Blind and the Brain Injury Network of South Australia. Community access services are provided, as well as post school options. I was delighted that the Government was recently able to announce the extension of the Moving On program to ensure that school leavers in 1999 will receive the same services as those provided when this program commenced its first full year's operation this year, a program which this Government introduced and in respect of which it has every reason to be proud.

So, it will be seen from the brief summary that I have given that there are a very wide range of agencies dedicated to the provision of services. Within government, the Disability Services budget in 1997-98 totalled \$148 million. Some \$40 million of that was from Commonwealth sources; \$5.3 million was provided through the Home and Community Care program. Most of the funds disbursed are distributed through funding and service agreements that government has with service providers. Some \$14 million was spent as brokerage funds through the Options Coordination system.

I am glad to say that in recent times we have been able to announce new and expanded services for people with disabilities. Some \$1.4 million of recurrent funding was added this year, and there was also \$2.9 million in one-off funding. A further \$330 000 of recurrent funding and \$270 000 of one-off funding will be allocated to disability specific services through the Home and Community Care program.

It is worth saying that there are challenges in the area of funding for disability services. We are in a transitional period where we are moving away from grant funding disability agencies to an output purchasing system. As we make that transition we are discovering that there is a lack of consistency in the methodologies for costing disability services. There is not a common data set from which to develop cost benchmarks. There is not really a model for assessing client dependency levels for common use across the whole of disability services. I must say that there is not a consistency in the funding treatment of non-government organisations,

nor is there yet the degree of clarity in application of the principles of purchasing of services that I would wish to see.

The Disability Services Office within the Department of Human Services has the responsibility of policy administration and development. I am delighted that that office is working on some of these important and significant procedural and structural issues, because I am convinced that a more systematic approach is required to strengthen management overcosts in the disability services area—not to save costs but to ensure that those funds which are allocated as disability services are applied in the most efficient manner so as to ensure that those who need the services will receive them.

There are many challenges in Disability Services, but I believe that not only in Government but also across the sector as a whole we are moving in the right direction so that we can provide those services that those with disabilities require and to meet the principles which I mentioned at the outset of my address.

I turn to my third area of portfolio responsibility and give a brief report in relation to matters pertaining to ageing. I have been greatly assisted by the Ministerial Board on Ageing which was established under the provisions of the Office for the Ageing Act. The advisory board is currently chaired by Dame Roma Mitchell and has been active in moving around the State to identify the needs and requirements of the ageing sector. I wish to pay a tribute on this occasion to Dame Roma and the board for the assiduous way in which they have approached their task.

One of their important functions is to monitor the implementation of the 10 year plan which was adopted by the Government in April 1996. That plan represents a whole of Government strategy on issues for ageing South Australians. It covers three broad topics with key outcomes identified as, first, living in the community, based upon the principle that older people and their carers will have access to a range and style of services and accommodation which will support the older person's independence and dignity; secondly, participation in the community on the basis that older people will take their place as citizens with access to the fullest range of activities, memberships and obligations; and, thirdly, independence in the community, based upon the proposition that older people will have opportunities and information about those opportunities to maintain their independence and to increase their ongoing participation in all aspects of community life so as to enhance their dignity and to combat negative stereotypes of ageing.

Many of the services delivered to the aged community in this State are delivered by means of the Commonwealth-State Home and Community Care (HACC) program. In the past year, we spent in excess of \$70 million on that program in South Australia. A number of other programs are supported by the ageing portfolio and specifically administered through the Office for the Ageing, for example, the Grants for Seniors program, which supports small grants to a large number of organisations for elderly citizens; the Senior's Card, which recognises the contribution of older citizens by providing a discount card and which provides benefits in a number of areas, including transport and entertainment. Other grants are administered through the Office for the Ageing, and I am delighted that we have been able to support a number of organisations which in turn, themselves are supporting older members of the community.

On 1 October this year, the Premier at Government House launched Celebrate Seniors Month (previously known as Seniors' Week). It was found that the activities were so many

and so diverse that they could not all be accommodated within a week, so the Celebrate Seniors festival has been extended to a whole month. At the same time, the Premier launched the International Year of Older Persons in South Australia, and that will be a significant event in 1999.

International years come and go. Some are barely remembered after the end of the year, but every now and then an international year does have a lasting impact on the landscape. I believe that the International Year of Disabled Persons in 1981 was such a year. It changed perceptions of disability and led to movements, such as normalisation, deinstitutionalisation and the introduction of those with disabilities into mainstream service provision. I believe that the International Year of Older Persons, through the exciting program which is being developed by a group called Coalition 99, will ensure that across the whole of South Australia—metropolitan, rural and regional South Australia—there will be a better recognition not only of some of the problems of the elderly but also of many of the challenges, the opportunities and the potential that are offered to older members of the community, provided that appropriate supports and services are available and also provided that the community has a positive perception of ageing.

I believe that we can turn around some of the negative perceptions one sees, for example, the recent headline which appeared in the *Advertiser* describing South Australia as 'God's waiting room'. Those negative perceptions can be, and I am confident will be, dispelled in the months of 1999 as our program unfolds. I conclude my remarks by, once again, thanking His Excellency.

**The Hon. CAROLINE SCHAEFER:** I commend His Excellency the Governor on his address when opening the Forty-Ninth Parliament of South Australia and in doing so I wish to comment on some of the issues that were raised by His Excellency.

The Governor has made mention of the spectre which continues to haunt this State—that of an overwhelming commitment to debt servicing which continues to cost this State approximately \$2 million per day. We can only hope that this Government will be able to take the steps necessary to reduce that debt to workable levels and, of course, to do that we must dispose of our electricity utilities and some other assets.

This State is at a crossroads. We have managed to achieve much in the past five years, but we must now go forward. It seems to me that there are three limiting factors in this State: our debt, our high unemployment rate and, worst of all, the despondency of our population. For many years now, the people of South Australia, aided in my view by a pessimistic and, at times, destructive press, have believed that we are going nowhere, that we are in the doldrums, that we are the slowest State, that there is nothing happening on the skyline—and, of course, negativity always compounds upon itself. So, sadly, because I am a very proud South Australian, one of our limiting factors is indeed the population itself.

The belief that we are not progressing is, of course, quite wrong. They need only see the South-East Freeway at the Mount Lofty tunnel, which is nearly finished; they need only look at the extension of the runway of the Adelaide Airport which will develop massive export opportunities for this State; they need to look at the massive development at Roxby Downs, at the many roadworks that are being carried out, or at the new sports fields to see that this State—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Caroline Schaefer is trying to address the Chair.

**The Hon. CAROLINE SCHAEFER:** —is moving at a rapid pace. Statistically, we have the highest growth in retail sales of anywhere in Australia, and I think, at last, that the people are beginning to have a more positive attitude towards development and are beginning to be more optimistic about their future.

As members of Parliament, regardless of Party affiliation, we have a duty to promote the positives of South Australia rather than the negatives. All agree on the need to create jobs, but it is my view that jobs are not created: jobs come out of an advance in business. If businesses are making a profit, they will employ. I commend the Government under Minister Brindal for its proposed series of job workshops which are to be conducted across the metropolitan area and in regional South Australia. Fourteen of these workshops will be held across the State, and there will be ample opportunity for people to put forward their ideas on what may encourage positive employment opportunities, particularly for our young people. The House of Assembly will then hold a unique full day session to discuss and debate all aspects of the report and any other ideas for employment.

I am also very impressed with the opportunities offered through the Government's funding to local government for regional job opportunities. I know my colleague Liz Penfold, the member for Flinders, together with John Bastian and Joy Baluch, the Mayor of Port Augusta, and others on the President's task force have already begun taking evidence for the regional development task force, and they will be reporting back to us with strategies to strengthen regional development in South Australia.

For this reason also the \$1.2 billion budgeted for capital works within the State, together with our encouragement of private industry, must, and I am sure will, create extra employment opportunities. Major capital works include \$100 million for the Alice Springs to Darwin railway, which is expected to begin construction in 1999.

I know all of us look forward to that time not only because it will create employment opportunities within the construction industry and in regional cities such as Whyalla, Port Augusta and Port Pirie but also because it will become a link at last through the centre of Australia and a passage straight through to our Asian neighbours. I must add that, if we were to be able at the same time to have a central time zone, I would be even more delighted.

Other capital works programs which are of importance and for which I commend the Government are the \$32.4 million to be expended on major health initiatives, including hospital redevelopments, both in the major metropolitan area and in the country, and continued redevelopment and upgrading of education facilities throughout the State to a total cost of \$5.1 million, including a new integrated education campus at Kadina on Yorke Peninsula.

The long awaited \$36 million redevelopment of the State Library will begin this financial year, and stage 2 of the Southern Expressway to a value of \$28 million will also take place this financial year. Construction of the Hawker airstrip to a value of \$1.5 million will be completed in 1999 and the Government's commitment to seal all rural arterial roads continues. I, for one, am a beneficiary of those roadworks as they go on throughout the State. Certainly, they do not progress as quickly as those of us who have need to use them would wish, but at least there has been a solid commitment by this Government to seal those roads, a commitment which

was never seen before and which recognises that rural people have a right to equal access to facilities.

I also commend the Minister for Education, Children's Services and Training for at last trialing airconditioned school buses in country regions. This has long been a bone of contention for rural people who send their children off, often on dusty roads, in the heat of the day. As safety regulations have required bus windows to be closed, it has become a real health issue, with numerous reports of children suffering from asthma and nose bleeds during the summer heat. I commend this Minister for his trialing of airconditioning and I hope that there will be a positive outcome from that trial.

I would like to take some time to speak on the Eyre Peninsula Regional Strategy which has now been in operation for three years and which is considered to be a major success as the first community strategy accepted under the rural partnership program between Federal and State Governments. Eyre Peninsula produces between 40 and 50 per cent of South Australia's wheat on an annual basis; between 20 and 30 per cent of the State's barley; and 15 per cent of the State's sheep flock. In 1996 Eyre Peninsula produced 16.4 per cent of South Australia's agricultural commodities' gross value, and this was over an area of 4.9 million hectares.

The rainfall varies from 250 millimetres in the Far West to 500 millimetres in the southern parts of Eyre Peninsula. One of the great limiting factors of Eyre Peninsula is its climatic variability. For example, the 1989-90 season grossed \$489 million from agricultural production as opposed to a low rainfall year, 1990-91, which yielded just \$251 million. It can easily be seen therefore that any method which will help farmers to as far as possible manage those fluctuations will bring greater stability to the region.

The objectives of the Eyre Peninsula Regional Strategy include encouraging environmental sustainable resource use, encouraging long-term profitability through increased farm productivity, and encouraging effective property management. A requirement of joint Federal and State Government funding was always that the regional strategy be owned and driven by the local community. I am in receipt of the 1997-98 annual report from this strategy, and I would like to speak on some of the highlights it describes.

The first of these is the farming to land capability project, which was developed to give information to farmers on their ability to farm to the capability and long-term sustainability of their land, and to the capability of the rainfall in any given year. Four case studies were undertaken across Upper Eyre Peninsula highlighting the highly calcareous soils and best practices for their management. Pamphlets have been produced and widely distributed, accepted and used by farmers in the region.

The second of the strategy highlights for the past financial year was a research expo, which was a major technology transfer event to promote the awareness of new farming technologies such as minimum tillage and to provide face-to-face contact for farmers and researchers. Some 50 local and visiting researchers and 250 farmers attended that event. Reduced tillage systems are being widely taken up and used by Eyre Peninsula farmers. An increase in the use of this modern method of farming is certainly largely due to the additional information that has become available to many farmers under the strategy.

An integrated catchment management plan has been implemented, and land works have begun to achieve the reclamation of saline soil in the Cummins-Wanilla basin. This has been achieved in no small measure as a result of the

cooperation between departmental officers and land-holders in the district. Some 25 per cent of Eyre Peninsula's farmers are now involved in the 'Top Crop' program, which challenges Eyre Peninsula farmers to review their crop management practices and focus on achieving better crop sustainability.

A total of 320 farmers on Eyre Peninsula have already completed a property management planning course, and another 150 are currently involved with that program. This represents over 30 per cent of the farmers on Eyre Peninsula who have taken up this management program, which has a whole of management focus. This is by far the greatest proportion of farmers probably anywhere in Australia but certainly in South Australia to have accessed this course. I believe again that this is largely due to the efforts of those on the strategy committee. Property management planning is a major influence to the change to better farming practices and business management on the peninsula.

Knowing as we do that Eyre Peninsula is subject to a great variety of climatic change, we need to be equipped so that when there is the next downturn in climate and the next series of droughts, as inevitably there will be, the farmers in the region are better equipped financially and technologically to cope with those down times. This is the object of the property management planning courses and indeed of the strategy.

A less known project has been a desalination system, which has been set up in the area of Streaky Bay. A desalination information system was established and installed in the local government offices in Streaky Bay and is available for information for inquires throughout the State. Case studies were prepared on potential commercial applications of desalination and a brochure has been distributed. Desalination is seen as a serious option for supplying potable water to many Eyre Peninsula towns in future. I would like to see further development and trialing of these systems, not just for Eyre Peninsula but for application throughout the State.

A new land management practice for Eyre Peninsula to improve production for water repellent sand, though clay spreading, has become very popular. Prior to the strategy this had largely been untried, but the interest rate subsidy available for improved production techniques has meant a large uptake and there are certainly very measurable yield improvements since this method of soil improvement was introduced. Approximately 5 000 hectares of land have been treated by clay spreading in the past 12 months. Approximately \$1.1 million in interest rate subsidies has been accessed over that time for productivity improvement strategies such as reduced tillage, clay spreading and strategic fencing to land capability.

Marketing a success like this is always a problem. A strategy such as this may well be a success, but people need to know and perceive that success. So, a marketing consultancy firm Anderson Collins has been employed and ambassadors have been nominated to raise the profile of Eyre Peninsula. Two of those are our own high-profile athletes, Shaun Rehn and Jenny Borlase, who have given their time freely to promote Eyre Peninsula and are great ambassadors with their unashamed enthusiasm for the area.

The Eyre Peninsula regional strategy has established a presence on the Internet with a home page for those interested. One of the real jewels in the Crown of the whole strategy has been the upgrading of the former Minnipa Research Centre to what is now known as the Minnipa Agricultural Centre, at a cost of \$1.8 million. I commend the present Minister for Primary Industries, the Deputy Premier Rob Kerin, for his cooperation in this development. I also

particularly mention the former Minister, Dale Baker, who saw the potential for what was at that stage quite a degraded research centre to become a high profile leader in dry land farming technology research. It is part of a joint project between SARDI, PIRSA and the University of South Australia. It was opened in September this year, to the great delight of the people of the northern part of Eyre Peninsula and to the long serving director of that area, the Hon. Paul Holloway's brother, Bob.

There is also considerable ongoing funding from the Grain Industry Research Council that will enable some solid long-term projects to be undertaken at the centre. In addition, there is an educational focus for those studying agricultural sciences to undertake blocks of study in that region, which has considerable on-flowing effect to the finances of a small town such as Minnipa.

I spoke earlier in this place about the wonderful EPIC concert, the result of a National Arts Foundation grant and Country Arts funding via the strategy and work of the committee. I would name the committee at this stage, except I am frightened that I will miss out on some of those people. However, worthy of special mention is the Strategy Co-ordinator Hilton Trigg, the Chairperson Jeff Pearson, Jim Cawthorne of PIRSA and Barry Wilkins and Brenton Ramsey, both original members of the Eyre Peninsula task force, and the many other people who have contributed to the success of the strategy as it is now running.

There, are of, course numerous other representatives from both the Federal and State Governments. Perhaps the success of this project can best be summed up by a quote from the annual report which states:

Eyre Peninsula has always had a strong community identity. The Eyre Peninsula Regional Strategy, promoting a philosophy of working together for Eyre Peninsula, has been successful in achieving strong networks which are all involved with this strategy. There has been a wide community support for the overall thrust of the Eyre Peninsula Regional Strategy. Self reliant businesses, sustainable land management practices and working together for the benefit of Eyre Peninsula.

I think it well and truly illustrates what can be done when the population is involved with the process right from the grassroots and continues to give its support in a cooperative effort with Government, rather than being dictated to by Government or by Government process. I must add that all this has been achieved with the funding of \$11.7 million.

I believe that the Premier's Food and Fibre Council—and indeed its long-term aim of \$15 billion in food exports, which is a trebling of the value of agriculture produce by value adding—encompasses some of the same methods. In other words, it involves a partnership between Government and the key players, the industry leaders and the producers and processors of food for this State. I have been invited by the Premier to convene that council. The first convener was the Hon. Robert Brokenshire, who has now gone on to bigger and better things. I look forward to my involvement with the group. I believe it will bring additional stability, satisfaction and profitability to those involved in producing food for this State and for export.

I have spoken a great deal about economic development, but in my view it should never be economic development for its own sake. Economic development should always be tied to social development. The Governor has spoken on this, and I commend the Government for its aim to put the financial stability back into this State, a move which will enable us to provide the social services which its population richly

deserves, that is, excellent world class education, excellent world class health facilities, a high quality of life, good tourism and hospitality infrastructure and a pride in what I believe is the best State in Australia. We have arguably the best value food and wine and one of the nicest climates of any city anywhere in the world and any State anywhere in the world—

**The Hon. T. Crothers:** And you've got me as well!

**The Hon. CAROLINE SCHAEFER:** —and we have some additional bonuses! I urge all of us to speak with pride and to promote this great State whenever the opportunity arises. I commend the motion.

**The Hon. P. HOLLOWAY** secured the adjournment of the debate.

### MURRAY RIVER

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I seek leave to table a ministerial statement made by the Minister for Environment and Heritage (Hon. Dorothy Kotz) in another place on the Murray River water resource update.

Leave granted.

### TAXATION REFORM

**The Hon. R.I. LUCAS (Treasurer):** I seek leave to make a ministerial statement on the subject of taxation reform.

Leave granted.

**The Hon. R.I. LUCAS:** Early in Question Time today I referred to a transcript of a news summary from 5AN at 10 o'clock this morning which read:

Federal Opposition Leader Kim Beazley says revenue from the GST should be kept in the State where it's raised. Mr Beazley has supported NSW Premier Bob Carr's claims that the proposed distribution of GST revenue would see his State unfairly subsidising other smaller States.

I understand that subsequently this afternoon while I was not present in the Chamber the Hon. Mr Holloway indicated that the ABC report may well be incorrect. I am not in a position to comment on whether the Hon. Mr Holloway's version or the ABC's version is correct. Given that the Parliament is not sitting for the next 10 days, should subsequently the ABC's report be incorrect, I would gladly withdraw any imputation against the Hon. Mr Beazley and the Labor Party in relation to South Australia's position in terms of horizontal fiscal equalisation. As I said, at this stage we have an ABC transcript which has been fairly reported. I understand that the Hon. Mr Holloway has inferred today that that transcript may be wrong. I wanted to place on the public record my position if, indeed, that does prove to be the case further down the track.

### JUDGES' PENSIONS (PRESERVED PENSIONS) AMENDMENT BILL

The House of Assembly agreed to the Bill without any amendment.

### STAMP DUTIES (SHARE BUY-BACKS) AMENDMENT BILL

Received from the House of Assembly and read a first time.

**The Hon. R.I. LUCAS (Treasurer):** I move:  
*That this Bill be now read a second time.*

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The *Stamp Duties (Share Buy-Backs) Amendment Bill 1998* seeks to amend the *Stamp Duties Act 1923* to ensure that both existing and future assessments of stamp duty in relation to share buy-back schemes are dutiable.

The need for the legislation has arisen from a recent decision of the Victorian Supreme Court of Appeal (in *Coles Myer Ltd v Commissioner of State Revenue*). That decision effectively held that the transfers associated with share buy back schemes were not strictly 'transfers' and hence were not subject to duty in that State.

Whilst the advice received in this State is to the effect that the State Taxation Office can continue to charge duty on share buy backs as it has always done, it is considered prudent to amend the legislation to put the matter beyond doubt.

The *Stamp Duties Act 1923* will be amended to ensure that both existing and future assessments are valid.

My advice from the Commissioner of State Taxation is that he is unaware of any objection having been lodged, prior to the *Coles Myer* decision, as a result of an assessment of duty relating to a share buy-back. Following, the *Coles Myer* decision refund applications and objections relating to share buy backs have been lodged. The case has thus put in question the previously undisputed interpretation—an interpretation that seems to accord better with common sense than the rather esoteric reasoning of the Victorian court.

The changes to the *Stamp Duties Act 1923* will thus not impose any new obligations, but simply maintain the previous position as recognised and accepted in this State by companies and their advisors. The amendment should therefore provide consistency and certainty for taxpayers and their representatives.

Explanation of Clauses

*Clause 1: Short title*

Clause 1 is formal.

*Clause 2: Insertion of s. 90AB*

Clause 2 inserts new section 90AB into the principal Act. The new section provides that an instrument (whether created or executed before or after the commencement of the new section) under which a shareholder transfers or divests shares to give effect to a transaction under which a company buys back its own shares is a conveyance of the shares. The new provision will not, however, apply to a transaction for the redemption of redeemable preference shares unless they are bought back on terms other than those on which they were on issue.

**The Hon. P. HOLLOWAY** secured the adjournment of the debate.

### STATUTES AMENDMENT (MINING ADMINISTRATION) BILL

Received from the House of Assembly and read a first time.

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

*That this Bill be now read a second time.*

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The Bill has been prepared by the Government to enable several amendments of an administrative nature to be made to the *Mining Act 1971* and *Opal Mining Act 1995*.

An important amendment to both the Acts deal with the establishment of a Mining Native Title Register. Native title provisions introduced in June 1996 provided that proponents wishing to explore or mine on land subject to native title must negotiate mining native title agreements with the holders of native title. Alternatively, if agreements cannot be reached or there are no parties with whom to negotiate, the proponents may seek a determination in the Environment Resources and Development Court to enable such exploration or mining to proceed.

The parties to such mining native title agreements may not want the terms of the agreements made public as they may contain private commercial dealings which could set unnecessary precedents. This Amendment Bill therefore provides for the parties to such agreements to nominate whether the terms of the agreements should be

kept confidential or be available to the public for viewing.

Regardless of the process nominated by the parties, the Mining Registrar will be required to keep a Register for public inspection which will include details of the land involved, the exploration authority or production tenement to which it relates, the parties bound by the agreement or determination and any other information that may be prescribed by regulation.

The details of agreements and determinations will be cross-referenced to other parts of the Mining Register but those details required to be kept confidential may only be inspected by persons authorised under the Act.

Other proposed amendments outlined in this Bill relate to the charging of fees for services provided by the Mineral Resources Group of PIRSA. Following a review in November 1997 of the services provided by the Group and those services provided by similar interstate agencies, it became apparent that fees were not being charged for a range of services provided.

Accordingly, in line with Government policy, it has been decided that, where appropriate, the Mineral Resources Group should charge fees for services provided to industry and the public and, where possible, those fees should contribute towards full cost recovery.

Due to the comprehensive assessment process of all agreements and determinations relating to native title being lodged with PIRSA, it is agreed that a lodgement fee should be imposed under the *Mining Act* which will be in line with the fees provided for the same service under the *Opal Mining Act*.

In addition, one of the major areas of concern centres on the advertising of exploration licence (EL) applications. The requirement to advertise the proposal to grant an EL in both a state-wide as well as a regional newspaper came into effect in June 1996 with the State's new native title legislation. Since that time, the cost of the additional advertising has increased to \$145 000.

A scaling system of fees for advertising based on the size of the EL area sought by the proponent was therefore considered the most appropriate way to charge industry for the cost of advertising. The larger the area applied for, the higher the advertising fee to be imposed.

Other areas highlighted in the review were the need to remove an anomaly in the *Mining Act* in relation to the charging of rental for exploration licences, and the introduction of fees to cover administrative procedures involved in assessing and preparing applications for Safety Net Deeds, special approvals and variations of tenement conditions.

The Bill, when enacted, will also remove certain fee anomalies which exist within the legislation and therefore provide a consistent approach with respect to both the *Mining Act 1971* and the *Opal Mining Act, 1995*.

#### Explanation of Clauses

##### *Clause 1: Short title*

This clause is formal.

##### *Clause 2: Commencement*

The measure will be brought into operation by proclamation.

##### *Clause 3: Interpretation*

This is an interpretative provision.

##### *Clause 4: Amendment of s. 6—Interpretation*

A definition of 'Mining Register' is to be included for the purposes of the *Mining Act 1971*.

*Clause 5: Amendment of s. 15A—Register of mining tenements, etc.*

Section 15A of the *Mining Act 1971* is to be amended to make it clear that a right to inspect the Mining Register operates subject to the other provisions of the Act.

##### *Clause 6: Amendment of s. 31—Fee*

This amendment will make it clear that the regulations may fix various methods for calculating a fee for an exploration licence, and may fix differential fees.

##### *Clause 7: Amendment of s. 34—Grant of mining lease*

This amendment will make it clear that a mining lease can be granted to the holder of a retention lease.

##### *Clause 8: Insertion of s. 63ZBA*

This clause provides for the creation of a Mining Native Title Register as part of the Mining Register. It will be possible to keep various registered agreements and determinations confidential, subject to specified exemptions.

##### *Clause 9: Amendment of s. 92—Regulations*

This clause amends the regulation—making powers under the *Mining Act 1971* with respect to the prescription of fees under the Act.

##### *Clause 10: Insertion of s. 70A*

This clause provides for the creation of an Opal Mining Native Title Register in a manner similar to the Mining Native Title Register.

##### *Clause 11: Transitional provisions*

Existing agreements under Part 9B of the *Mining Act 1971* or Part 7 of the *Opal Mining Act 1995* will be taken to be agreements that are to be kept confidential under the new arrangements unless the parties to an agreement notify the Mining Registrar otherwise.

**The Hon. P. HOLLOWAY** secured the adjournment of the debate.

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

The House of Assembly agreed to the Bill with the amendment indicated by the following schedule, to which amendment the House of Assembly desires the concurrence of the Legislative Council:

Page 4, lines 25 to 28 (clause 12)—Leave out the definition of 'prescribed day' and insert:

'prescribed day' means—

- (a) the first anniversary of the day of commencement of this section; of
- (b) if a regulation fixes a day prior to the first anniversary of the day of commencement of this section as the prescribed day—that day;

Consideration in Committee.

**The Hon. R.I. LUCAS:** I move:

That the House of Assembly's amendment be agreed to.

For the benefit of members, I indicate that, when we last discussed this issue—and this certainly applies to briefings that I gave individual members of this Chamber—I made quite clear that the Government's position was that immunity from liability would be for a period of 12 months and that, in that period, the jurisdictions would try to organise an alternative scheme which would involve insurance. The South Australian Government's preferred position would be that it was done in a period of less than 12 months. If that did not succeed, automatically, at the end of the 12 month period, we would revert to a new scheme, which would mean that NEMMCO would be liable for acts of negligence. Certainly, in the briefings that I gave to individual members of Parliament and in the statements I made or implied in this Chamber, I made quite clear that my understanding was that 12 months was, I suppose, the cut-off date.

I am indebted to Independent, I am told, and Labor members of another place—and credit where credit is due. This illustrates the value of the bicameral system. I am indebted to the members who raised this issue. I was not there, but evidently the matter was raised last evening.

There was a loophole in the drafting that would have allowed jurisdictions—and all jurisdictions would have had to agree—to extend the immunity for a period of longer than 12 months without reference back to a parliamentary debate. The jurisdictions—the five Ministers—would have had to agree, so Labor and Liberal Ministers would have had to agree. But they could have done it as, in effect, an executive decision, without reference back to any Parliament or, indeed, the South Australian Parliament.

That certainly was not my intention or the Government's intention. The Government did want to see flexibility in that, if the jurisdictions could agree to a shorter period of, say, three months, six months, nine months or whatever, there was a process or a way of cutting it off at that period rather than leaving it for as long as 12 months. The drafting that allowed flexibility for a shorter period also allowed the flexibility of a longer period. This amendment, in effect, puts the cap on

at 12 months, as was the original intention. There is no flexibility for a longer period through this mechanism: it remains as flexibility for a shorter period. If the jurisdictions were to agree to six months or nine months, it could be shortened through this mechanism but it could not be lengthened. If ultimately, for whatever reason, jurisdictions wanted to see the 12 months extended, all the jurisdictions would have to agree on a change to the law, and the South Australian Parliament, as lead legislator, would have to debate that matter and either approve it or not. That is the background to this amendment and I recommend it to the Committee.

I again place on the public record my thanks to those members in another place, Labor and Independent, who raised this issue. I also want to thank officers working for me, and again I nominate Tim Spencer, who was given the task from 9 o'clock this morning until 3 o'clock this afternoon of getting five separate jurisdictions at officer level to agree, and then the more difficult task of getting five separate Ministers to agree and sign off on this amendment and change before 3 o'clock.

*The Hon. T. Crothers interjecting:*

**The Hon. R.I. LUCAS:** And he did it all without the use of a gun. So, credit where credit is due. I place on the public record my thanks to Tim and to Grant Anderson, who was the legal adviser in relation to this matter and who has also worked long and hard to try, on behalf of all these jurisdictions, to get this final provision agreed to. So, with that explanation, I commend the amendment to the Committee.

**The Hon. P. HOLLOWAY:** The Opposition supports the amendment. When the legislation was passed in this place, I believe it was the understanding of those members of the Opposition who supported it that there would be a limit on the exemption of liability for NEMMCO and its officers. We were of the understanding that that liability would be limited to a period of no greater than 12 months, preferably less, and it was on that basis that we supported the Bill. Subsequently, as the Treasurer just said, it was identified in the other House that there was a possible loophole within the wording of the Bill that might have allowed an extension beyond 12 months. So, we are pleased that that anomaly will be corrected.

Certainly, it is interesting that we have a piece of template legislation that is being amended in the Parliament. As the Treasurer just said, it required the agreement of all other States, and I suppose the fact that it could be done so quickly indicates that there was, in fact, an unintended anomaly in the Bill. We are pleased to see that it is now being corrected.

**The Hon. SANDRA KANCK:** I indicate that the Democrats will be supporting this amendment. I think anything that ensures that it will not go over the 12 month period is important and must be incorporated. I am still trying, in this very short space of time—I only found out about this about 15 minutes ago—to completely get my head around it but, from what I can read, I think it resolves around the issue of the regulations and the regulating making powers that go with the original Bill. When we passed the original Bill in 1996, I recall that I expressed concern that the South Australian Parliament would not be able to alter any regulations that were made as a consequence of the Act once it became an Act and, at that stage, because I was so concerned about it, I moved deletion of that clause. The record shows that at that stage it was two Democrats versus 17 combined votes of Labor and Liberal, which is not unusual; nevertheless, sometimes I feel like saying, 'I told you so'—

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

**The Hon. SANDRA KANCK:** No, the division result is two Ayes and 17 Noes, on 4 June 1996. Fortunately, the weakness in this Bill appears to have been discovered at this late stage, although before we had gone too far down the track. But it shows the impact that this sort of legislation can have when we hand over control in this way.

**The Hon. T.G. CAMERON:** I indicate my support for the amendment. Whilst I originally opposed this Bill, in particular the question of immunity, this at least clarifies the situation and restricts the immunity to 12 months or less.

Motion carried.

#### ADJOURNMENT

At 6 p.m. the Council adjourned until Tuesday 17 November at 2.15 p.m.