

## LEGISLATIVE COUNCIL

Tuesday 28 March 2000

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

### ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following bills:

Alice Springs to Darwin Railway (Financial Commitment) Amendment,  
 Barley Marketing (Miscellaneous No. 2) Amendment,  
 Building Work Contractors (GST) Amendment,  
 Carriers Act Repeal, The,  
 Commonwealth Places (Mirror Taxes Administration),  
 Criminal Law Consolidation (Serious Criminal Trespass) Amendment,  
 Criminal Law (Sentencing)(Sentencing Principles) Amendment,  
 Guardianship and Administration (Miscellaneous) Amendment,  
 Heritage (Delegation by Minister) Amendment,  
 Highways (Road Closures) Amendment,  
 Hindmarsh Island Bridge,  
 Judicial Administration (Auxiliary Appointments and Powers)(Definition of Judicial Office) Amendment,  
 Land Tax (Intensive Agistment) Amendment,  
 Legal Practitioners (Miscellaneous) Amendment,  
 Local Government (Implementation),  
 Mining (Private Mines) Amendment,  
 Motor Vehicles (Heavy Vehicles Speeding Control Scheme) Amendment,  
 Office for the Ageing (Advisory Board) Amendment,  
 Prevention of Cruelty to Animals (Miscellaneous) Amendment,  
 Southern States Superannuation (Salary) Amendment,  
 Statutes Amendment (Electricity),  
 Statutes Amendment (Magistrates Court Appeals),  
 Statutes Amendment (Universities),  
 Statutes Amendment (Visiting Medical Officers Superannuating),  
 Whaling Act Repeal.

### MITCHELL, DAME ROMA

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

That the Legislative Council expresses its deep regret at the recent death of the Hon. Dame Roma Mitchell, AC, DBE, CVO, former Governor of South Australia, and places on record its appreciation of her distinguished public service and, as a mark of respect to her memory, that the sitting of the Council be suspended until the ringing of the bells.

I rise on behalf of government members. Some of my colleagues, as I am sure will other members of this chamber, will join in this tribute to the extraordinary life of Dame Roma Mitchell. Right at the outset I would like to quote what Dame Roma said in 1983:

I don't think in terms of achievements; I think in terms of the interest I find in the things I do.

As I move through some of the milestones within her extraordinary life, I realise that perhaps only somebody with such a list of achievements could say that she did not think

in terms of her achievements—because her life was composed of very many.

Dame Roma completed her secondary education at St Aloysius College, graduating as dux of her school in 1930. She went on to attend Adelaide University, and in 1934 she was awarded the David Murray Scholarship for Law Studies, again demonstrating her considerable intellect and her academic achievements not only at school but also in tertiary education at Adelaide University. In 1934 she was admitted to the bar; in 1962 she was appointed queen's counsel; in 1962, she was appointed Australia's representative at the UN conference, Tokyo, on the Status of Women in Family Law; from 1963-65, she was appointed Vice President of the Law Society of South Australia; in 1965 she was appointed to the South Australian Supreme Court Bench; in 1971, she was appointed by the Dunstan government to chair the Criminal Law Reform Committee to report on South Australia's criminal justice system; from 1979 to 1981, she was the chair of the South Australian Parole Board; in 1982 she was made a Dame Commander of the Order of the British Empire, Civil Division; in 1985 she received the University of Adelaide's highest honorary degree, a doctor of the university; in 1991, she was appointed as a companion in the Order of Australia; from 1991-96, she was Governor of South Australia; in 1998 she represented South Australia with others at the constitutional convention in Canberra; and, in the year 2000, she was made a Commander of the Royal Victorian Order.

In all that, there was a long list of firsts for Dame Roma Mitchell, and I will refer to only a handful; I am sure that in their contributions other members will refer to others. They include the following: her appointment in 1962 as Australia's first female queen's counsel; her appointment in 1965 as South Australia's first female Supreme Court judge; her appointment in 1972 as the first female deputy chancellor of the University of Adelaide; her appointment in 1981 as the founding chair of the Commonwealth Human Rights Commission; her appointment in 1983 as the first female chancellor of the University of Adelaide; and, of course, her appointment in 1991 as Australia's first female state Governor. As I said, there are many other significant achievements and firsts that one could refer to in Dame Roma's extraordinary contribution to public life and in all the areas of endeavour in which she excelled.

During the past 24 hours or so, when I have looked back over the not inconsiderable number of articles and public tributes that have been written about the life of Dame Roma Mitchell, three or four things struck home most heavily from my point of view. One was the extraordinary intellect of Dame Roma Mitchell which she obviously demonstrated right from her school days, as I indicated, back in the 1930s, but also through into more latter days.

I guess my greatest period of interaction with Dame Roma Mitchell was as a minister during her period as Governor of South Australia from 1993 through to 1996. I know I speak on behalf of my colleagues—and I am sure the Attorney-General will be able to attest in some detail to this—when I say that she had a mind like a steel trap. Even at however old she was when she was the Governor from 1991 to 1996—and generally we met with her every Thursday for Executive Council—she would not infrequently engage in a matter of legal discussion with the Attorney or indicate that she had had a previous discussion on a legal matter in terms of the documentation that she as Governor was being asked to process through Executive Council. As I said, I am sure that

the Attorney-General will fondly remember many of those discussions that he had with Dame Roma during that period. However, for the rest of us, as we sat around the table, it was quite clear that she had not lost her love and passion for the law. As I said, she certainly still had a mind like a steel trap as she engaged in those discussions.

There are other aspects that I want to refer to, one being Dame Roma's modesty, her humility, even though she had been a trailblazer and had achieved so much in her life. The *Advertiser* recorded an interview with Dame Roma in 1997 in which she said:

The only thing that I really felt was an achievement on my own was when I became a silk, a queen's counsel (in 1962). That was an achievement in work. The other things just came because I happened to be in the right time, at the right place. I never felt any sense of achievement in anything else.

When one looks again at her record, her achievements, her tremendous humility and modesty in terms of those achievements are well evidenced by not only that quote but many others in terms of placing in her own personal perspective the many significant achievements she had made during her career of service.

The third of her many attributes that I most remember is her wry sense of humour. I am sure that other members, from personal experience, will be able to attest to that in this tribute to her this afternoon. I chuckled when I saw the *Advertiser's* reference to the interview with Dame Roma in 1997 in which she is quoted as saying:

A man's brain, that was the usual compliment in those days. Fancy offering it to anybody today! Physical violence would occur. I am sure our distinguished female members of the Legislative Council would chuckle at that insight. I think the insight is accurate but it is a fair example of Dame Roma's great sense of humour and how she used it not only in an interview situation but also in personal discussions with many of us.

I guess this does not really come under the notion of an attribute, but it was a behaviour pattern, or a belief of Dame Roma's, and I refer to the tremendous importance to Dame Roma of her religious beliefs. I think that was attested to by a number of speakers at the state funeral. I think, in particular, the Premier made note of that. As a Roman Catholic myself I know the importance of her faith to Dame Roma throughout her life. I know that her own church, which was the cathedral, had its own very special Dame Roma pew right at the front and centre of the cathedral. I think it was there from the days when she was Governor. I cannot recall what the circumstances were prior to 1991, but certainly during her period as Governor, and subsequent to it, Dame Roma took up a fairly standard position within the cathedral when she went to pray and/or to celebrate.

It was important to Dame Roma. It was an important part of her life and her beliefs, in many of the things that she tackled; her sense of outrage at the injustice that existed within the world. Many of those views and beliefs that she had which she took into the public arena were driven, I am sure she would acknowledge, not insignificantly by her own religious beliefs. She remained true to those beliefs right through until her last seconds on this earth when her parish priest, if I can refer to Father Shinnick that way, was able to share communion with her in her last moments.

Again, speaking formally on behalf of some government members who will not be able to contribute this afternoon, I place on the record the government's public acknowledgment of a tremendous life of achievement. It is a life that ought to be celebrated—as it has been, as we have seen in

many ways—and I am sure that it will continue to be for many years to come.

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** On behalf of the opposition, I second the motion. It was with great sadness that I learnt of the illness of Dame Roma and her subsequent death. I suppose one of the only positive things one can say is that she was not ill for a very long period. She, indeed, lived life to the full, I think, until the very last couple of weeks of her life, and that is an amazing achievement.

She was honoured greatly by her friends and by people in the community. It has been said that she was a great tribute to our state but I think that, indeed, she was a great tribute to the whole of Australia and to some parts of the world where she was known. I would like to place on the record some quotes that I think sum up the woman. The Catholic Archbishop of Adelaide, the Most Reverend Leonard Faulkner, said that Dame Roma's life was one of 'deep and simple faith'. He said:

Her life was a remarkable demonstration of the power of one woman to make a difference, to contribute so much to South Australia and beyond, including within our own Catholic community in the Archdiocese of Adelaide.

She radiated a goodness and graciousness to all people, especially to those who were poor. She was a source of inspiration, especially to women. But her words and actions also have and should endure as a role model to every person in public life.

I think those are very telling words, indeed, about the life of a very great woman. Her long-time friend, Noni Farwell, said that she treasured her 42 year friendship with Dame Roma. She said:

She is one of the most thoroughly good people I have ever known. She is also one of the most perfect role models for women this country has ever produced.

The tributes go on and on. The Prime Minister said:

She will long be remembered for her pioneering role in the legal profession and her distinguished service to the Winston Churchill memorial.

The Governor-General, Sir William Deane, said:

She blazed a trail for Australian women—in law, in public service and in academic life.

The Premier said:

She was and remains a strong role model for women across Australia and internationally.

The opposition leader, Mike Rann, said:

She demonstrated unique ability to build bridges between generations, town and country and cultures.

A former Premier, John Bannon, said:

Dame Roma's abundant energy and inspiration will be missed.

The Vice Chancellor of Adelaide University, Mary O'Kane, said:

Her spirit and energy will continue to inspire those working to achieve her vision of a better and fairer society.

I think those tributes from, if you like, the famous in our state are a demonstration of how much she was loved and admired. There were also tributes from young people, particularly those students from St Aloysius College, and from some of the young women who attended the state funeral, some of whom were standing outside, who obviously were quite moved by her passing and who clearly loved her very much. To say that you have left this world with everyone loving and admiring you I think is probably a greater tribute than all the firsts that Dame Roma ever achieved, along with the fact that

she was considered to be a thoroughly good woman. I think that that view is shared by all of us in this place.

A former member of this place, and a former president and minister, the Hon. Anne Levy, has a beach house at Carrickalinga, where Dame Roma also had a beach house. One would often see the Governor of this state in the latter years of her life getting into her bathing suit and swimming many strokes up and down in quite cold weather and quite vigorous surf.

She was certainly an amazing person. She had a wonderful sense of humour and a dynamic personality. My only regret is that she did not ever have any children, because I am sure that I would like to have seen those qualities passed on for generations. But in a sense we were all her children because we are the people of this state who will remember her and, as long as we are alive and as long as the young people who remember her are alive, she will go down in history as one of the great Governors of this state, one of the great women of this state and certainly one of the highest achieving women this state has ever had.

For all her modesty I am sure that she would like to think that perhaps in 20 years—let us be optimistic—those firsts will not even be recorded because there will be so many by so many women. That is something that Dame Roma would have liked to see. She encouraged women throughout her life. In particular she was very encouraging of young Aboriginal women. The testament given to her by Lowitja O'Donohue with great affection and warmth made it obvious that she is held in great esteem and affection by the Aboriginal people, particularly the women.

Dame Roma was obviously a brilliant lawyer and scholar. She was the recipient of many honours and awards that have been mentioned by the Leader of the Government, and I will not repeat them. She was loved and admired. She was certainly someone whom I will miss very much indeed. Her love of the arts was a passion that we jointly shared. She was always present at every first night that I ever attended. I have been told that during her illness Dame Roma was very keen to make sure that her tickets for the Festival of Arts, which, because of her illness, she was unable to use, were passed onto her friends and other people so that they would not miss out.

I hope that those people were able to tell her, if at that stage she was able to understand, that they had enjoyed and felt honoured, I suppose, attending in her place. As I said, Dame Roma was very kind to me when my husband was dying of cancer. I am so pleased that she had a much shorter period of pain than John had. I am also pleased that she lived life to the full until almost the day she died, and that is something that we should all look forward to. I terminate my remarks by saying, 'Vale, Dame Roma.'

**The Hon. M.J. ELLIOTT:** On behalf of the Democrats, I support the motion. I will not repeat Dame Roma's long list of achievements: they are on the record in this place. But I note that we have lost an extraordinary South Australian, although I am not sure that you totally lose a person. In the *Advertiser* of 9 March I saw a quote of Dame Roma from 1997 when she said:

I do not think anybody looks forward to the idea of dying because somehow you feel you, the essential you, can never really go, don't you?

I am not sure whether or not she meant in a religious sense that she would continue to live but it will be true that she will continue to live because of what she has done, because of her

achievements. She will live on in the minds of this and future generations: there is no doubt about that. Dame Roma was extraordinary in terms of a person who appeared to have achieved so much in respect of change yet did it with so little fuss. It is a bit like watching an Olympic diver who does an extraordinary triple twist and then enters the water without a ripple. Dame Roma never really created waves, but no doubt she was responsible for extraordinary change.

In many ways she was responsible just by way of personal example. Some people might protest about wanting this or that done, but basically Dame Roma was one person who went out and did it. Throughout her life she went out and achieved as an absolutely extraordinary role model for women. That was not only important as an example to women but she made some very important points to men about what women could do. In many ways, her example as a role model was at least as important to the way men thought as it was for the way that women thought about women.

While her career of choice was in the law and she made a profound impact on law and justice in South Australia and nationally, she had a very broad commitment in the community to education, social justice, particularly Aboriginal issues, and human rights more generally. She had a profound impact across all those areas. I will read a brief quote from the *Economist* in its obituary of 11 March, as follows:

By lending her authority to controversial ideas, she gave them enough respectability to be freely debated. Should marijuana be legalised? She did not say it should but the idea of its being licensed for sale like alcohol 'does hold my interest'. At a time when crime is on the rise in the rich world, she promoted the thought that there should be shorter rather than longer sentences: that revenge had no place in legal decisions.

Without creating waves, she was prepared to help stimulate change, significant change. One would be thankful to live as long as Dame Roma did because it is unfortunate sometimes how long change takes to occur. Dame Roma's legacy is still not fulfilled. Many of the issues about which she cared so profoundly and on which she worked so patiently still need to come to fruition. As I said, her memory and her example will live on in this community, and I feel hopeful that everything she fought so hard for will be achieved in the fullness of time.

**The Hon. K.T. GRIFFIN (Attorney-General):** Recently I was privileged to speak at a special sitting of the full Supreme Court to recognise the life of Dame Roma Mitchell. My contribution today is largely a reflection of what I had to say on that occasion. So much has been spoken and written about Dame Roma that it will be inevitable that what we say will repeat what has been said before, but that should not detract from our recognition of her life and contribution.

Dame Roma Mitchell was an extraordinary South Australian, an inspiration not only to women but also to men. There was an outpouring of sadness at her passing made even more acute by its suddenness. Her many friends in the community at large found it difficult to believe that a person of such boundless energy and life could have such a short time remaining. The heartfelt tributes in the media, the book of condolence and flowers placed beneath her statue on North Terrace in the weeks since her passing reflect the deep affection people felt for her.

Dame Roma's career included a great number of personal milestones, honours and awards. She achieved a number of outstanding firsts that have inspired her many admirers. In the

new year's honours, she was given the highest award available to an Australian—Commander of the Royal Victorian Order—a personal award from Her Majesty The Queen. Such an award is fitting tribute to her lifelong commitment to the state of South Australia.

As the Leader of the Government in this Council has already indicated, Dame Roma attended St Aloysius College. Her mother Maude was anxious for her daughters to have a sound education and encouraged the obvious academic talents she and her older sister Ruth demonstrated. Tragically, her father Harold, who had practised as a lawyer prior to World War I, died in battle in 1917 when Dame Roma was just four years old. The law was something of a family tradition. Her paternal grandfather was a judge and administrator of the Northern Territory. It is said that, at the age of six, young Roma announced her intention to be a barrister. She did not deviate from the course she then set. A brilliant student, she was dux of St Aloysius College in 1929 and 1930, and top of the state in Latin in Leaving Honours. She remembered her days at St Aloysius fondly, continuing to take an interest in the affairs of the school and, later, establishing the Dame Roma Mitchell Justice Scholarship for the school.

She was the winner of a bursary to the Law School at the University of Adelaide. She completed her studies in 1933, being named the most outstanding scholar of her year—a year when her classmates included the future Supreme Court Justice, Charles Bright. She served her articles with Mr Bill Rollison; she was admitted to practice in 1934; and in February of that year she joined the firm of Nelligan and Angas Parsons as a managing clerk. She once said that she was extremely lucky to gain a position, and with the lingering effects of the depression few places were available. The firm made her a partner within a few months.

She developed a formidable reputation for her work in family law, although she did not act exclusively in that area: she also practised extensively in industrial matters. In 1962 her ability was recognised in her appointment as queen's counsel—the first woman in the commonwealth to be so recognised. As the then Attorney-General said on her appointment to the Supreme Court in 1965—another first in Australia, not just South Australia—her career had 'been outstanding in achievement and (she) had demonstrated a capacity and incisiveness which aroused admiration and a wish to emulate those qualities among all those who observed them'.

Her career as a legal practitioner was also marked by the high position she attained in the profession at large. In September 1965, at the time of her appointment to the Supreme Court, she was the president elect of the Law Society of South Australia, only some days away from becoming its first female president. She was also the vice president of the Law Council of Australia and, but for her appointment to the Supreme Court, she would have been the first woman president of the Law Council of Australia. The women entering the legal profession were greatly influenced by her and she led by example. Her achievements in ground breaking appointments made it easier for others to follow.

Her dignity and personal warmth assisted many in the transition to practice. There is no doubt that she faced resistance to women holding roles such as those to which I have already referred, and other society imposed limitations. She committed her life to public service with the belief that an individual could make a difference. She was an ambassador for women in the law and as such was utterly determined to be a model judge. She served the Supreme Court with great

distinction. The last four months of her time at the Supreme Court were spent as acting Chief Justice.

The then Chief Justice, Justice King, in marking her retirement from the court in 1983, said that she brought to her tasks 'an acute legal brain and a great fund of legal knowledge'. He also commented upon her composure and decisiveness. He explained:

An outstanding aspect of her judicial work (was) her capacity to clarify complex legal issues in her own mind, to reach prompt and correct decisions, and to express the reasons for those decisions clearly, incisively and without delay.

She had a level of personal efficiency and personal discipline rarely seen. She would leave the courtroom and immediately start work on a dictaphone for her judgment. It was usual for her judgments to be completed within a week of the end of even the most complex trial.

She had a great and abiding interest in people. Her former associates speak of her with genuine warmth. She continued to meet with them regularly, and the group gathered every year for her birthday—most recently last September at her house at Carrickalinga. She was always interested in their progress in the law and their lives in general. She had incredible personal warmth and an extraordinary memory for names and the details of people she met, including the names of one's children.

Her loyal personal staff played a great role in her life away from the court. Reg Soan, her dedicated tipstaff of 18 years, would often do her grocery shopping, pay her bills and drive her to meetings. Reg said that it was 'more than a job in the public service: it was a privilege.' Such was the loyalty she engendered in those around her. Her staff at Government House have similar fond memories.

Dame Roma was a dedicated traveller for both official and private purposes. As recently as last year she went on an African safari. Rarely did a year go by without an overseas adventure. During those travels she made a great many friends. Former High Court Justice Sir Ronald Wilson recalled:

It was her ready participation in all the fun as well as the serious side of things that explains why there are so many members of the legal profession who remember her now not only with profound respect but with deep affection.

I suggest that those words apply not just to the legal profession but to all those with whom she came in contact from all the different walks of life and with whom she mixed during her lifetime.

Whilst at the Supreme Court, Dame Roma made an extraordinary commitment to other areas of the law. She chaired the Criminal Law and Penal Methods Reform Committee, which left a range of influential reports that are as relevant today as they were 27 years ago, including observations relating to minimum penalties. In 1979 she was appointed the Chair of the Parole Board, and in 1981 she became the inaugural Chairman of the Commonwealth Human Rights Commission, travelling across Australia with a deep commitment to the issues before the commission. Her work was recognised by, amongst other things, the establishment of the Mitchell Oration, which is presented each year by the South Australian Equal Opportunities Commission—an event that she attended each year without fail.

Few people have been as busy in retirement as Dame Roma. She often lent her considerable presence to the contentious issues of the day, especially issues relating to law reform. I well remember the acute observation that she made only last year at the opening of Law Week on the role of the

media in the reporting of victim statements and on mandatory sentencing.

Chancellor of the University of Adelaide—to which office she was the first woman to be appointed—delegate to the 1998 Constitutional Convention and chairing the government Ministerial Advisory Board on the Ageing were particular interests. Her long experience and her reasoned and precise thoughts made her words continue to carry significant weight. It was this experience and legal capacity that made her one of South Australia's greatest Governors, being appointed in 1991. Her personal capacities and legal experience made her uniquely suited to this role. Her love of people and her common touch ensured that the community admired her greatly, and she brought to the role a wealth of knowledge and experience rarely seen.

As the Treasurer has already observed, it was not uncommon for Dame Roma to telephone ministers to discuss a point arising from some submissions or, more particularly, to telephone the Attorney-General to discuss a legal point. As the Treasurer indicated, whilst not disclosing what goes on at Executive Council meetings, Dame Roma did not hesitate to make observations or points about some of the submissions—

*An honourable member interjecting:*

**The Hon. K.T. GRIFFIN:** She did pick me up once or twice, but I must say that we were generally as one on many of the items that we discussed. As Governor, she always followed the course of debates in the parliament, and she fulfilled all her duties with great distinction.

Many people have commented on Dame Roma's outstanding intellect, her capacity for work, her deep humanity. It is clear that she had an inordinate amount of energy and an amazingly diverse range of interests. The law was her great passion, but so it could be said of the arts, her work for charity and the University of Adelaide. Her commitment to these was hardly less substantial. It is not surprising that, in lieu of flowers, she asked that donations be made to the Ryder Cheshire Foundation and Meals on Wheels. We would all be aware of her personal commitment to Meals on Wheels and her work delivering meals to those not blessed with her abundant good health. It reflects the essence of Dame Roma Mitchell.

It has become clear, as again the honourable Treasurer has already remarked, that Dame Roma's faith played a significant part in her life. I can do no better than to quote from her speech on her appointment to the Supreme Court, where she said:

Necessarily I must look for help and guidance from a spiritual source, and I would want, as a final remark, to adopt something which comes from President Kennedy's inaugural address where he refers to asking God's blessing and his help but knowing that here on earth God's work must truly be our own.

Such a simple example of her daily faith and commitment describes her most succinctly. Dame Roma Mitchell will always be remembered for her exceptional achievement and leadership, her quiet unassuming and humble style, and recognised for the various ways she touched the lives of the people of South Australia and beyond.

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I want to echo and endorse the remarks made by all honourable members who have spoken before, as well as adding a few remarks of my own. When I was a child, my mother used to speak about Roma Mitchell with enormous affection and awe. My mother studied law at

Adelaide University. There were not a lot of women in those days, when my mother went through law at Adelaide University, but they all hero-worshipped Roma Mitchell. One of the joys of later life for me, many years after my mother had died, was the fact that Roma Mitchell remembered my mother and always spoke of her with the highest respect for her intellect and her care. No matter how sick she was, my mother was very involved with the Mothers and Babies Association. Dame Roma used to taunt me in later years by saying how far my mother could have gone in the law and in life generally if she had not met dad and had me. She always seemed to hold it against me that I had frustrated my mother's career path—and she may well have been right!

On International Women's Day on 8 March 1996, I was really thrilled that Dame Roma was able to come to the building that I work in, then called State Transport Authority and, with her agreement and in her presence, we were able to rename that building Roma Mitchell House. Until that time, I was very conscious of the fact that hardly a building—and I did a research exercise on this matter—other than the mothers and babies building, named after my mother, was named after another woman who had given so much to South Australia. So, it was a thrill that we were able to name that building after Roma Mitchell and, equally, it was a thrill to think that she was to be forever on North Terrace when she retired from Government House, that she would always have her name present on North Terrace. We now have a statue. The statue is fine, but the block of granite it sits on is completely out of proportion and does not do justice to the work of art or to Dame Roma.

However, on the occasion of International Women's Day on 8 March 1996, Dame Roma not only accepted the honour and met with many women on that day but also joked about the fact that she thought taxi drivers and others would probably get confused about whether they would have to go the Government House where she was actually living, or Roma Mitchell House down the road where I worked. It is true that taxi drivers did get confused for some time.

I am pleased that, when she retired as Governor, she agreed to a government proposal that the TAFE performing arts and visual arts centre at Light Square be named in her honour. Years earlier she had agreed that the Mitchell Oration, to which the Attorney has referred, also be named in her honour. It was such a fitting tribute because she was the first chair of the Human Rights Commission following her appointment by the then prime minister, Malcolm Fraser, many years earlier.

In terms of the last Mitchell Oration—and the Attorney mentioned that she attended them all—the subject was 'older people'. She came up to me afterwards and said that she had a big agenda for me in terms of older people and transport, particularly in country areas. She said that, as chair of the Advisory Committee on the Ageing, she was aware of what we were doing in terms of community transport networks but expected that we would be doing much more. I agreed that we would meet early in the new year and advance this agenda. Sadly, we did not get a further opportunity to meet, but I undertake that the agenda that she put to me will be advanced.

I love the fact that when she was Governor in 1994—the year that we celebrated the centenary of Women's Suffrage—she was so organised, caring and thoughtful that she had spoken to the gardeners well in advance, and all of the Government House gardens that year were planted with purple and yellow—the colours for women's suffrage. She

gained so much joy in telling me—and I suppose the Hon. Carolyn Pickles and others—how much difficulty she had in convincing the gardeners that for that year they were planting purple and yellow and that this was her wish. She then became patron last year of the South Australian Women's Trust, co-patron with Lowitja O'Donoghue, and today Lowitja O'Donoghue is the sole patron.

As has been mentioned, Dame Roma loved the arts. She started the reception during the Adelaide Festival for artists and others involved in the festival. It is excellent that Sir Eric and Lady Neal, who succeeded Dame Roma, have continued that tradition, and the two receptions held over the past month for the Adelaide Festival were exceedingly successful. On both occasions Dame Roma was mentioned by His Excellency, Sir Eric.

Just on a personal note, Dame Roma always had time for anybody who was having difficulties with any matter. I was having a difficulty one night when I was sharing a table with her and others, I had to get up to speak and I could not find my mirror to put on my lipstick. She leant over to me and said that I had to learn to put on my lipstick without a mirror and suggested that I call by in the coming week and she would show me how—and I did. I called by, we had a drink and sat in the little sitting room at Government House, opposite each other. She put on her lipstick without a mirror; I put on lipstick; and she told me I did not have enough confidence, that it was not high enough on the lips, so the lips were looking too narrow and nasty. She said I had to develop more confidence and flair in putting on my lipstick without a mirror. Every time I put on my lipstick without a mirror, as I do with some regularity and some flair, I think of Dame Roma and the personal assistance she provided me. Never again do I have to get up to give a speech without the aid of a mirror and without my lipstick.

**The Hon. M.J. Elliott:** Hear, hear!

**The Hon. DIANA LAIDLAW:** Very important, Mr Elliott. Finally, it was so glorious at the funeral to see the church crowded with people from all over Australia, from all parts of life, of all ages and gender, all there collectively having been touched one way or another by association with Dame Roma. The flowers were outstanding and I know she would have loved them: the roses were gathered from so many people's gardens. It was a very special celebration.

I am very pleased that I was fortunate enough to know Dame Roma well, and her agenda in terms of transport and women and the arts is one that I will continue as she would wish.

**The Hon. CARMEL ZOLLO:** I also pay tribute to the life of Dame Roma Mitchell. I was not privileged to know Dame Roma for any great length of time, just in the past few years since being a member of this chamber. We would often attend the same community function, and I know of the respect in which she was held by the South Australian community. I was fortunate to share a few words with her at two functions on the last public occasion that I saw her, on 26 January, during the Australia Day celebrations. I sat next to her at the first function I attended on that day at her place of worship for the ecumenical service and we shared some light chitchat before the service commenced. Dame Roma certainly did have a good sense of humour.

Other colleagues have already spoken in relation to Dame Roma's achievements, so I will not repeat their tributes. Dame Roma certainly left the Australian community with a string of firsts, but I do not believe that it is for this reason

alone that she had such respect. It is not unusual to sometimes be the first, and often outside a particular profession or circle of society it would mean very little. She obviously was a lady of competence with a fine intellect, but she was also a person of compassion and conscience. Such people are certainly rare in public life. She was a role model for the women of Australia because of her achievements but, at the same time, she was a woman of her community. I think that nothing sums up the type of person she was more than the following comment attributed to her:

I think commitment to equality comes from realising that equality does not exist.

Australia and the state have been enriched by the presence of Dame Roma Mitchell. My colleague the opposition leader summed it up well when he recently said of Dame Roma:

As a citizen, lawyer, judge, governor, patron of the arts and good causes, Dame Roma's life graced our state and nation.

**The Hon. IAN GILFILLAN:** I would like to add my own personal contribution in this period of memorial for Dame Roma. She agreed to be patron of the Adelaide Parklands Preservation Association just a little over 12 months ago, which she did with her usual verve, saying that she certainly supported the aims and objectives of the association, but she did want to be spared attending any meetings. We in the association appreciated that 12 months of support, and I wish to place on the record how sad we are to lose her patronage after such a short period.

I do not think my mother would rest easy if I did not also share with the chamber one or two recollections, because Dame Roma was a close personal friend of my mother and my stepfather, Sir Kenneth Wills. They shared time in Adelaide and later at Carrickalinga. I must say that I found Dame Roma to be a warm personal friend, but she was always daunting company.

One never felt that there would be any sloppy edges to conversation. There was always a very real risk of having a sloppy argument snapped off abruptly at its stem, but it never led to any great degree of animosity—although my mother claims that, at times, she and Roma had very heated exchanges. That was not difficult with my mother, so I do not really blame Dame Roma for that. Over the years many of us would have noted the superb way in which Dame Roma executed her duties as Governor. However, one of the hazards was that she was a little unsteady on her feet, and that was quite often apparent when she was addressing stairs or moving over rough terrain.

**The Hon. M.J. Elliott:** She was good on Anzac Day.

**The Hon. IAN GILFILLAN:** She may have been good on Anzac Day but I would also like to give testimony that, after she had somewhat timidly walked from her house on the beach front at Carrickalinga to my mother's, and spent an hour of evening gin and tonic, she strode back with so firm a step members would have been amazed.

**The Hon. T.G. Roberts:** It might have been all downhill.

**The Hon. IAN GILFILLAN:** It was all downhill. The other rather precious moment I would like to share with the Council is that I went to see her a week before she died in St Andrews Hospital. I was able to be there when she had with her a former associate. I have heard about the close bond that existed with her associates, and she said then that all of her associates had been to see her. Father Maurice Shinnick came to celebrate mass. Dame Roma embraced me, as an Anglican, into the fold and, although it may have shaken some of the

purists, I would like to say that it was a very moving and spiritual experience for me.

One of the fond memories that I will have for the rest of my life is Dame Roma, substantially wasted away, still very acute mentally, still able to speak clearly and lucidly and still able to express her faith not only in society and in people but in her God. It is a great privilege to have known her and it is a joy to have those memories to be able to take on further into life.

**The Hon. T. CROTHERS:** I first became aware of Dame Roma Mitchell when she defended dismissed union officials in a court case in the late 1950s. The union officials who were dismissed were some of the great luminaries of the Labor Party, such as the late great Mick Young, the late great Jack Wright, the late great Jimmy Dunford and the late great Senator Donald Cameron, who was then secretary of the union. The undercurrent that accompanied the dismissal by the fellow who then became the secretary of the union, Eric O'Connor, was of course DLP orientated. Dame Roma, as a very proud daughter of my former church, was one of the few people prepared to take on the people who were behind the dismissal.

They, of course, because of the political involvement of the DLP in this matter, had barristers and QCs hanging from the rafters in the court and she did them with her hands in her pockets—she did them like a dinner. She won me then, and she has never lost me since. That was the measure of the greatness of this human being. As a former son of the church and now an agnostic I do not know where people go when they leave this earth, but I am sure that wherever it is in the highest order of thought she would be there and, not only that, she would be head of the class.

**The Hon. R.D. LAWSON (Minister for Disability Services):** I, too, support the motion. The Leader of the Government and others have spoken of the unparalleled record of service and achievements of the late Dame Roma Mitchell and I will not repeat them. In his eulogy at her state funeral the Governor-General of Australia, Sir William Deane, also paid a wonderful tribute to Dame Roma, and I commend the text of that eulogy to members. The Governor-General's presence at the state funeral and the presence of many other dignitaries from around the country emphasised, I think, that Dame Roma Mitchell was not only a great South Australian but she was one of the great Australians of this age.

My recent personal association with Dame Roma was in her capacity as the inaugural chair of the Ministerial Advisory Board on the Ageing. As minister, I had frequent dealings with her on that matter. She was a most assiduous and energetic chair. She always went with the board on its country visits, interviewing hospitals, service providers, community leaders and community groups throughout South Australia and, wherever she went, she was very warmly welcomed and highly respected. That was a legacy of her term as Governor.

She went to Coober Pedy last year for the first conference of Aboriginal elders of South Australia. Late last year I attended with her a conference on ageing issues for rural people at Bungaree. She chaired the proceedings of that conference with great vivacity and grace. She was in fine form at our Christmas luncheon. I was deeply distressed when, three weeks before she died, she called me to say that she would be unable to continue in her role as chair, and I

thought it was typical of Dame Roma that, at a time of great personal trauma, she should ring to advise me and the other members of the board.

I remember her particularly as a judge. When I went into the legal profession, she had already been appointed. One of the first trials I did was a criminal trial before Justice Roma Mitchell.

**The Hon. M.J. Elliott:** How did you go?

**The Hon. R.D. LAWSON:** Now Justice Kevin Duggan was the prosecutor. I am glad to inform the honourable member that I secured an acquittal on that occasion. Dame Roma Mitchell was a fine presiding judge. She had a great presence in court and full command of proceedings. She was certainly a no-nonsense judge. She had firm control over her court and she was most punctual in her presiding.

**An honourable member:** There was no sloppy argument?

**The Hon. R.D. LAWSON:** There were no sloppy arguments. She was courteous to witnesses and counsel but she was never inclined to allow anything slipshod to pass without correction. By the same token, she was very encouraging to young legal practitioners. In her role as a judge, I would say that she was very astute to discern any unfair play or sharp practice or anything that smacked of an injustice being done to anyone. Her written judgments were crisp and lucid. She was not given to intellectual flourishes in her written judgments but, as the Attorney mentioned, she was very prompt in delivering her reasons. I had what I regard as the pleasure and honour to appear before her on a number of occasions.

During my role as junior counsel for Harold Salisbury in the royal commission into his dismissal, I remember seeing, as the proceedings unfolded, the way in which Justice Mitchell presided. Members will recall that it was in January 1978 that the Dunstan government dismissed the Police Commissioner. A royal commission was appointed, somewhat reluctantly, in February, but it has always been said that the terms of reference dictated only one result. Justice Mitchell, as the presiding royal commissioner, delivered a very comprehensive report in June that year.

Stewart Cockburn, in his account of the royal commission and the so-called Salisbury affair, expressed some disagreement with the findings of Justice Mitchell in that commission. He was particularly critical of her acceptance of the testimony of the then Premier Don Dunstan and her rejection of Peter Ward's claims that he had informed Dunstan about the activities of Special Branch, one of the great issues in the case. However, I was glad to see that Peter Ward (notwithstanding those findings which I know were very hurtful to him at the time) in the *Australian* of 6 March, I think, produced I believe the finest obituary that has yet been published on the life of Dame Roma.

As has already been mentioned, Dame Roma Mitchell championed many causes. She championed the cause of women, especially women in the law. My wife, who was a lawyer, was a beneficiary of that and much appreciated her long association with Dame Roma which became a quite close association at the very end of Dame Roma's life. She also championed younger people, especially younger artists and musicians, people who engaged in creative activities. She would make it her business to have a personal discussion with and to express encouragement to such people.

She championed the cause of Aboriginal people in our community. It was typical of her interest in Aboriginal affairs that, at some personal discomfort, she attended the conference to which I previously referred. She also championed under-

privileged people in our community generally. She championed education, and not only as Chancellor of the University but as a great supporter of any young student whose talents came to her attention.

In many ways Dame Roma Mitchell was an unusual person. She paid great regard to tradition. She was a trend setter, but she herself was never trendy. She was not a slavish adherent to what had been done before: she was always prepared to break down barriers in the nicest possible way. She had a wonderful and wide array of friends in the law and in the arts community.

I thought that her agreement, at the end of her life and after she had served a term as Governor, to serve on the Ministerial Board on Ageing was once again typical of Dame Roma Mitchell. It was at a time when most people would have been looking forward to a comfortable retirement, but she, who had for so long championed the young, undertook a role which enabled her to take a great interest in and have some influence upon the provision of services to older people. She was truly a woman for all ages.

**The Hon. L.H. DAVIS:** I join in the motion recognising the great contribution that was made to the community by Dame Roma Mitchell. My first memory of Dame Roma Mitchell was in 1964 when I was a somewhat wayward undergraduate law student. Roma Mitchell, as she then was, lectured in family law with great precision and clarity and with those lovely touches of humour for which she was so well known. As you would understand, they were generally wayward undergraduate law students in those days but they did recognise that they were in the presence of someone very special. At the end of the year's lectures, Roma Mitchell was presented with a beautiful bouquet of flowers—something I did not see again in the years that I was at university, although I did have a number of women lecturers. It was, I think, a recognition of her very special qualities.

As has already been mentioned, Dame Roma was recognised in her lifetime, which in itself is unusual. She has a major building named after her; the government has announced a performing arts centre to be named after her; a statue on North Terrace; and, I also understand that Roma's Cafe in Hutt street, a place for meeting and greeting, is also a reminder of Roma Mitchell's special affection for the region of Adelaide in which she lived.

Dame Roma, with her legal skills and acute commonsense, clearly would have been at home on the High Court bench. Indeed, there is a story that at one stage the federal government of the day was seriously considering her for such an appointment. A very cryptic telegram was duly despatched from the federal Attorney-General to the state Attorney-General's office. It read: 'How old Roma Mitchell?' The telegram from the State Attorney-General's office was equally cryptic: 'Old Roma Mitchell very well; how are you?'

Dame Roma was a role model and the inspiration for many professional women. As has already been mentioned, she was the first woman to be appointed to the Supreme Court bench. It is perhaps not surprising that the second woman to be appointed as a Supreme Court Judge in South Australia, Justice Margaret Nyland, was a special and longstanding friend of Dame Roma.

Dame Roma made an extraordinary and diverse contribution to the community which she served. She was much loved, and that affection for her was surely reflected in the many tributes paid to her and her state funeral, the mourners being led by the Governor-General of Australia, Sir William

Deane. For Dame Roma life was a celebration, and we should all celebrate her life.

**The Hon. R.R. ROBERTS:** I rise to support the motion. I, like others, first became aware of Dame Roma Mitchell in the 1960s. As a somewhat fiery young trade unionist, I was involved in the dispute within the AWU when, as has been mentioned, allegedly, people were unfairly dismissed. We were somewhat shocked to learn that the union was represented by a woman QC. As others have already made clear, Dame Roma being the first woman QC was somewhat unusual. As has also been pointed out, she was spectacularly successful in that action. Mick Young, who was a trade union organiser at Port Pirie at about that time, had been dismissed, and his career, together with that of people such as Don Cameron, Clyde Cameron, Jimmy Dunford and others, was able to proceed.

I met Dame Roma on her tour after she had been appointed Governor when she attended a civic reception at Port Pirie. I had the privilege of introducing her to Mr Dino Gadaletta, the President of the Italian community and the person in charge of the Feast of Our Lady of Martyrs, a centuries old religious ceremony which takes place in September each year and which is conducted by the people of a place called Molfetta in Italy. I mentioned to Dame Roma that the festival was about to take place and that Dino Gadaletta was one of the leading people involved. She knew exactly what the festivities involved and she expressed the desire to attend. The Italian community in Port Pirie, who work very hard on this festival and are very proud people, were quick to take up the invitation.

I next encountered Dame Roma at the President's dinner. The Hon. Gordon Bruce, the Clerk and the Deputy Clerk were waiting out the front for the usual procession to come from Government House. Previously, the Roller would wheel around and Sir Donald would get out and make a dignified entrance. However, as I recall the story related by the Hon. Gordon Bruce, as they were waiting anxiously, looking to see where the Roller was, they were greeted with a 'Good evening' behind them. Dame Roma had arrived on foot because she only had to cross the road and did not think the Roller was necessary.

During the very welcome and enjoyable dinner, Dame Roma remembered the commitment to the Molfettese people in Port Pirie, and she assured me that she would attend. Consequently, the invitations were sent out and Dame Roma attended the festival. There were more firsts. Dame Roma was the first Governor ever to attend the festival, and the whole community was delighted. Another first on that day was that this was the first time that a Rolls Royce had joined the procession of the statue to the wharf. This was of great delight to the people of Port Pirie. They will probably never again see a Roller unless I become Governor, which is probably unlikely—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.R. ROBERTS:** When Dame Roma left the procession to return to Adelaide there were rousing cheers. On behalf of not only the Molfettese Italian community in Port Pirie but those people who live in country areas (especially Port Pirie), I endorse the fine remarks that have been made about Dame Roma and wholeheartedly support the motion moved by the Leader of the government.



**The Hon. A.J. REDFORD:** In supporting this motion, I endorse the comments of all who have spoken before me, particularly the Attorney-General, the Minister for the Status of Women and the Leader of the Opposition. We all had the opportunity of meeting Dame Roma in her capacity as Governor of this state, a most public and challenging role which she performed with great warmth, charm and dignity. She was always prepared to engage in discussion. She even had a view on the republic debate last year, which she expressed to me and others quite forcefully.

However, it was in her capacity as a judge that I first met Dame Roma—albeit only briefly—at the Australian Legal Convention in 1978 when I was an articled clerk. I appeared before Dame Roma on a number of occasions. I well remember asking colleagues prior to my first appearance before her what she was like, as do all lawyers. To a person they told me that she was pretty strong on the facts, that you had to be organised, and that she was also strong on the law and should not be taken lightly. I recall one lawyer saying that she had only one blind spot and that was that she was extraordinarily heavy when it came to sentencing sex offenders. Perhaps she was ahead of her time.

Indeed, her demeanour on the bench was somewhat authoritarian, not in an intimidatory way but in a way that ensured that litigants and lawyers got the clear and quick impression that they should get on with it and come to the point quickly. Her judicial career was strong. I think all members here should be reminded that Dame Roma was a member of the Bray bench with such great legal minds as then Chief Justice Bray, Justice Zelling, Justice Hogarth, Justice Bright and that occasionally difficult man Justice Sangster—all great legal jurists and strong personalities in their own right. As the only woman, Dame Roma held her own capably and with great dignity. She attracted widespread respect throughout the legal profession of South Australia, and certainly she was not seen as a weak link in that court. Dame Roma had great influence over other legal practitioners. One only need think of other women in the legal profession such as Pam Cleland or, latterly, Lindy Powell, women of the law in South Australia, people with great character and personality.

Following her retirement from the bench, Dame Roma slipped comfortably from a position of authority into a wide ranging and well documented public service. She did this easily and, indeed, to a large extent, her authoritarianism disappeared. I well remember meeting her when she was the chair of the Australian Human Rights Commission at the Second Australian Criminal Lawyers Association conference in Brisbane in 1987. I particularly remember the final night. Kevin Borick, who could never be described as an establishment lawyer, was one of the architects behind this body, and he had invited John Singleton to be the guest speaker. In the company of everyone present, John Singleton partook of the donated and very cheap wine. When Singleton made his speech, he spent 45 minutes lambasting the legal profession and saying how hopeless it was because he had just lost a series of court cases.

At the end of the speech, I remember that the New Zealand lawyers, who have never been backward in drinking cheap alcohol, got pretty upset with Singleton, and started throwing buns at the speaker. All pandemonium resulted, and Dame Roma leant over to Kevin Borick, who had done a lot of things in his life, and was heard to say, 'Well, Kevin, you've really done it this time, haven't you?' I remember later that evening having a long chat with Dame Roma—and

I was only in my very early 30s in those days—who well recalled the cases in which I had appeared before her. She was very encouraging and, indeed, talked about the advocacy required in an appellate court. One of the first cases I appeared in was a tax case about the penalties that should be imposed on people who fail to lodge tax returns on time. I remember one piece of advice she gave me. She said, 'When you're appearing before an appellate court, you shouldn't take your argument too far, because one of them will always pick it up, take it to the point where it should be, and then their egos will convince them that it was their argument in the first place.' She said, 'It's much more difficult then for the other side to dislodge the good sense of that argument from that judge's mind.'

I remember her saying that, in delivering your arguments, you should never underestimate the ego of a judge. I must say some of the techniques that she talked about that evening and on subsequent occasions have become quite useful in dealing not only with judges but also on some occasions with some ministers I come into contact with. She went on to become the patron of the Australian Criminal Lawyers Association—a great honour, because the first patron was the then Chief Justice of the High Court of Australia, Sir Harry Gibbs, who remained patron for a number of years. She actively participated in the association, and I know that on many occasions she offered topics that should have been discussed at the various meetings and conventions in which it partook. Indeed, she never hesitated to pick difficult issues that part of the legal profession should embrace, consider, discuss and debate. I thoroughly endorse the Hon. Robert Lawson's comments about her, her role as a judge and her role subsequently. His words were that she was—and forgive me if I do not accurately paraphrase the honourable member—not trendy but in so many ways she was a trendsetter, and we all saw that. In closing, I commend the motion and pay my tribute to her, her life, her example and, ultimately, her legacy.

**The Hon. CAROLINE SCHAEFER:** I first met Dame Roma Mitchell—or, as she was then, Judge Roma Mitchell—as a boarder at Mercedes College. She was a close personal friend of the Principal at that time, Sister Mary Carmel Bourke, who had an intellect similar to Dame Roma's. She came and gave her time to speak to us as boarders and young women, as an example, in times when it was unlikely that women were expected to take on professional roles. I guess Mother Carmel picked her as a role model for us all. On several occasions she spoke to us, and I guess for that reason she remained a role model for many of us for most of our lives. She was a lady of great dignity: she was a lady who showed that one could be a feminist and remain a lady. I last spoke to her less than a month before she died, when I saw her at mass. She had the ability to make us all believe that she knew us personally and that we were all personal friends of hers. I want to pay tribute to her for that humility and, indeed, for the interest she showed in all of us as female members of Parliament during her time as Governor. I would like to support the motion.

**The PRESIDENT:** I ask honourable members to stand in their places and pass the motion in silence.

Motion carried by members standing in their places in silence.

*[Sitting suspended from 3.41 to 4.2 p.m.]*

## QUESTIONS ON NOTICE

**The PRESIDENT:** I direct that written answers to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 1, 4, 5, 7, 8, 15, 16, 26, 28, 29, 32, 36, 37, 39, 41, 43, 49 to 51, 58 to 61, 63, 64, 66, 68 and 73.

### SENSATIONAL ADELAIDE 500

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

1. Why has the Sensational Adelaide 500 Post Event Evaluation by Richard Trembath Research not been released to the public?

2. (a) Will the Sensational Adelaide 500 Post Event Evaluation be released to the public before the arrangements for the forthcoming Le Mans race are finalised; and

(b) If not, why not?

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

The Post Event Evaluation of the 1999 Sensational Adelaide 500 was conducted by Beston Pacific Corporation in conjunction with McGregor Marketing Pty Ltd.

The report is an internal document prepared on behalf of the South Australian Motor Sport Board which includes research on the profile of event patrons and seeking information to provide a sound platform for the planning and marketing of future Adelaide 500 events.

As such, the report is not a public document. The results from the economic benefit section of the report have been publicly released by the Premier.

In conjunction with the tabling of this response, a copy of the Media Release titled 'Clipsal 500 Sales Hit \$ million for 2000' has been provided to the honourable member.

### SPEED LIMITS

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

1. Has the Minister taken into consideration a recent study commissioned by Transport SA from the University of South Australia into car emissions which reported toxic emissions from cars could rise by up to 40 per cent in some Adelaide suburbs if a blanket 40 km/h speed limit is adopted, before allowing Metropolitan Councils to introduce lower road speed limits?

2. If not, why not?

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

I.&II. Transport SA contracted the University of South Australia in February 1999 to conduct a series of vehicle noise and air emission tests to quantify the significance of potential environmental impacts of reduced local area speed limits. The study did not find a 40 per cent increase in toxic emissions from lower local area speed limits.

Transport SA continues to progress, on merit and on request from councils, the implementation of local area 40 km/h speed limits. Reduced speed limits in local areas provide safer, more livable residential environments due to reduced crashes, reduced through traffic and increased mobility generally (walking, cycling).

### EMPLOYMENT COUNCIL

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

1. Who are the 17 members of the newly created Employment Council formed to help the State Government find work for the State's unemployed?

2. How much is each person to be paid for being a member of the Council?

3. How often will the Employment Council meet?

4. What is the Employment Council's financial budget for the current year?

5. (a) Will the Council release an annual report of the work it undertakes; and

(b) If so, will it be available for public view?

6. How will the effectiveness of the Council be evaluated?

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

1. The Employment Council is comprised of 17 members from the public, private and community sectors. Representatives have been selected for their valuable expertise in the fields of employ-

ment, education, training, industry development, community welfare and in various priority industry sectors. Membership is as follows:

- The Hon Mark Brindal, Minister for Employment, Minister for Youth
- The Hon Malcolm Buckby, Minister for Education, Children's Services and Training
- The Hon Iain Evans, Minister for Industry and Trade
- The Hon Michael Armitage, Minister for Government Enterprises and for Information Economy
- The Hon Legh Davis, Member of the Legislative Council
- Mr Chris White, Secretary, United Trades and Labour Council
- Mr Peter Vaughan, Chief Executive Officer, SA Employers' Chamber of Commerce and Industry
- Ms Pam Simmons, Executive Director, South Australian Council of Social Services
- Professor Mary O'Kane, Vice Chancellor, Adelaide University
- Ms Leah Weckert, Chair, Youth Plus Advisory Council
- Ms Susan Chase, Managing Director, Cowell Electric Supply Company (representing the regional and rural sector)
- Mr Lloyd Groves, Chief Executive, Vision Systems Limited (representing the Information Industries sector)
- Mr Tim James, Group Technical Manager, Thomas Hardy & Sons Pty Ltd and President of the Wine and Brandy Producers Association
- Ms Jane McNaught, Owner, Mia Jane and member of Flavour SA (representing the food sector)
- Ms Stella Alexander, Managing Director, Direct People Solutions (representing the employment placement sector)
- Mr Ron Wickett, Managing Director, Minelab Electronics Pty Ltd
- Mr Chris Moriarty, Managing Director, Moriarty Plastics (representing the manufacturing sector)

The Hon Mark Brindal MP, Minister for Employment, Minister for Youth is the Chair of the Employment Council.

2. Non-government members of the Employment Council will receive remuneration of \$152 per four hour session in accordance with a determination made by the Office for the Commissioner for Public Employment. A proportional fee will be available for meetings of less than four hours.

3. The Employment Council has determined to meet on a monthly basis.

4. The State Government recognises that, in order to be effective, the Employment Council must be adequately resourced in terms of both executive support and finances. Although there is no identified budget for the executive support of the Council, it is anticipated that the Department of Education, Training and Employment will be able to fulfil this function within existing resources. Furthermore, a Senior Officials' Committee, with a core group comprising the Chief Executives of the Department of Education, Training and Employment, Department of Industry and Trade, Department of Primary Industry & Resources SA, Department of Administrative and Information Services and the Director of State Development Policy, Department of the Premier and Cabinet, will ensure that the recommendations of the Council are actioned.

5. (a) The Employment Council is not required to produce an annual report. However, the Council, along with initiatives included within the Government's 1999 Employment Statement, will be formally reviewed after 12 months of operation. This review process will ensure the relevance of the State Government's approach to employment and will complement the ongoing internal evaluation mechanisms currently in place.

(b) The outcomes achieved through the agency of the Employment Council will be reported through the 2000 State Government budget process. As was the case in the recent 1999 State budget, the 2000-1 budget will report on the effectiveness of employment initiatives administered during 1999-2000.

This reflects the State Governments commitment to accountability—the 1999 State budget has established performance indicators for employment activities and the 2000 budget will publicly report on achievements with respect to these targets.

6. The achievements of the Council will be reviewed annually, with a view to maintaining its relevance and ensuring that appropriate expertise is contained within its membership.

## EXPIATION NOTICES

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

1. Will the minister undertake to ensure the reminder fee amount is printed on speeding expiation notices in future, as current expiation notices for speeding offences contain information that if payment is not received, one reminder notice will be sent and a reminder fee will apply, but no mention of the amount of the fee is printed?

2. If not, why not?

**The Hon. DIANA LAIDLAW:** The Minister for Police, Correctional Services and Emergency Services has provided the following information:

The proposal that the amount of the reminder fee be included on future expiation notices has merit and will be considered for introduction.

## ENVIRONMENT PROTECTION AUTHORITY

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

1. Why did it take the Environmental Protection Agency so long to conclude its investigation into the recent oil spill at the Port Stanvac Oil Refinery?

2. How many staff members does the Environmental Protection Agency employ?

3. What was the Environmental Protection Agency's annual budget for the years—

- (a) 1996-1997;
- (b) 1997-1998;
- (c) 1998-1999; and
- (d) 1999-2000?

4. What qualifications do the seconded Government investigation officers and the two Environment Protection officers have

5. What duties do the 40 authorised Environmental Protection Agency officers perform in the field?

6. What are the qualifications of these field officers?

7. Are any of these field officers technically competent to recognise a chemical or biological impact on the environment?

8. Does the Environmental Protection Agency insist on an Environmental Impact Report from a developer of property or an industry as a condition of development approval?

9. (a) Does the Environmental Protection Agency insist on commercial insurance to protect the State to cover the risks of environmental damage or consequential loss from such damage; and

(b) If not, why not?

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

1. The investigation into the recent spill at the Port Stanvac Oil Refinery has not been concluded. The circumstances surrounding the spill were technically and legally very complex. If the matter had been as simple as the recent spill in Sydney Harbour, which was simply a result of an operational error admitted by the person responsible, the investigation would obviously have taken much less time. It is interesting to note that it took 4 days to clean up the Port Stanvac oil spill and 1 month to clean up the Sydney Harbour oil spill. Surveys conducted by experts from Flinders and Adelaide Universities, to assess the impact of the oil spill, indicated minimal harm to the environment.

2. 218.7; full time equivalent staff members.

- 3. (a) 1996-1997 \$7 684 000
- (b) 1997-1998 \$9 382 400
- (c) 1998-1999 \$13 141 400
- (d) 1999-2000 \$18 458 000

4. The seconded Government investigation officers and the Environment Protection Officers have qualifications and experience appropriate to their duties.

5. Authorised Environment Protection Officers duties are to ensure compliance with the Environment Protection Act through field inspections, investigations and tests. This includes the preparation of reports and recommendations for issuing notices and/or prosecutions. In addition the officers are accountable for the provision of expert technical advice and support on environmental issues associated with environmental management throughout the State.

6. Field officers' qualifications range from degrees in chemical, biological and other appropriate disciplines through technical qualifications to other qualifications and experience. All officers are appropriately qualified for the tasks they undertake.

7. Yes.

8. No.

9. (a) No.

(b) The Environment Protection Authority may require the holder of an environmental authorisation to lodge with it a bond (supported by a guarantee, insurance policy or other security approved by the Authority), or a specified sum of money. The discharge of the bond, or the repayment of the sum of money by the Authority is made conditional upon the holder of the authorisation not committing any specified contravention of the Act during a specified period, or taking specified action within a specified period to achieve compliance with the Act.

## CASEMIX FUNDING FORMULA

15. **The Hon. R.R. ROBERTS:**

1. Will the Minister for Human Services confirm that the casemix funding formula takes into account the cash flow problems that can be created for rural hospitals because of the fluctuation that occurs in the statistical number of separations because of changes in the availability of doctors?

2. If a doctor starts practice in a rural town after the absence of a doctor, can the local hospital budget be revised immediately to reflect the new services offered in the hospital?

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

1. The casemix funding formula is an output based means for determining the financial allocations for specified hospital inpatient activity.

Rural hospitals with very low activity levels are funded on a minimum volume formula.

The funded activity base is allocated on historic demographics and trend estimates, within the globally available resources.

In previous years, the Department of Human Services has made adjustments to activity allocations in rural areas on the basis of doctor availability. These decisions now rest with the Board of the Regional Health Service in each region.

The regional boards have discretion to liaise with hospitals to determine activity and budget allocations within the overall regional allocation.

2. Factors, such as whether a doctor is available, can and undoubtedly would be taken into account in allocating or adjusting budgets of rural hospitals.

## ATTENTION DEFICIT HYPERACTIVITY DISORDER

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

1. Can the Minister for Human Services advise how many young people are currently being prescribed amphetamines for Attention Deficit Hyperactivity Disorder under section 33 of the Controlled Substances Act?

2. Has this number decreased since October 1998?

3. If there has been a decrease, is this largely due to the cancellation of the authority to issue for the three major prescribers in South Australia?

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

1. On 25 October 1999, the number of children whose prescribers had authorities to prescribe amphetamines for Attention Deficit (Hyperactivity) Disorder was 4 685.

2. In October 1998 the number is estimated to have been approximately 4 800.

3. Since 1998, one prescriber has moved from South Australia, another has retired, and one has died. Between them, these prescribers treated approximately 40 to 50 per cent of child AD(H)D patients. Many of the patients of these prescribers were subsequently referred to other doctors. Referral for ongoing management was often to the GPs who had originally referred them for diagnosis.

Subsequently, the authorities for the three prescribers have been cancelled. This has accounted for a decrease in the number of authorities on the database. However, as 'active' patients transfer to new doctors, who then apply for authorities to prescribe, it is anticipated the number of authorities will approach former levels.

Over the last year, the number of applications received each month for new child patients averages about 60 to 70 per month.

### PARLIAMENT, SUPERANNUATION

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

1. How much would the State Government save if State Members of Parliament were unable to access their superannuation until age 55 years in line with the general population?

2. Has any deliberation been given by the Government to such a proposal?

3. If not, is the Treasurer prepared to give consideration to such a proposal?

4. Have any briefing papers been prepared that give consideration to this proposal?

5. If so, is the Treasurer prepared to release them?

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

1. It is estimated that the State Government cost of funding the Parliamentary Superannuation Scheme would be reduced by 4.8 per cent of members' salaries if all accrued benefits were preserved until age 55 years. Based upon members' current salaries used for superannuation purposes, this equates to approximately \$300 000 per annum.

The funding cost, which is based on an actuarial assessment of the anticipated number of members that will become entitled to receive a pension prior to attaining age 55 years, can be different from the actual value of benefits being paid at any particular time.

For the 1999-2000 financial year, the expected Government cost of pensions payable to former members under the age of 55 years, is in the order of \$320 000.

2. One of the options considered as part of the review of the Parliamentary Scheme in 1995, included the compulsory preservation of all accrued benefit entitlements on leaving the Parliament before age 55 years. The 'new scheme' includes a form of preservation which has been developed after taking into account the situations former members can find themselves in after leaving the Parliament. The 'new scheme' provides that the payment of all pension benefit entitlements are subject to an income test before age 60 years, and the employer component of a lump sum superannuation benefit is required to be preserved to age 55. It was considered unfair to make similar changes to the 'old scheme' because some current Members of Parliament may have decided to enter parliament on the basis of the benefit structure applying at the time, and furthermore, others may have been dependent on such an entitlement at the next election.

3. This question has been answered by the response to question 2.

4. I have been advised there are no briefing papers on this matter, other than a reference to this matter in a report to Cabinet in 1995.

5. The Cabinet document is not available for release.

### SPEED CAMERAS

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

1. How many people were caught by speed cameras exceeding set speed limits by more than 40 km/h during 1997-1998?

2. How much revenue was raised as a result?

3. Of those caught speeding by speed cameras above 40 km/h in 1997-1998, how many were subsequently—

- (a) prosecuted;
- (b) given jail sentences;
- (c) lost demerit points; or
- (d) lost their drivers' licences?

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

1. 750.

2. \$44 276.

3. (a) No driver can receive a sentence of imprisonment as a direct result of a speed camera detected speeding offence. A sentence of imprisonment can only result from the non-payment of a fine. Hence, the imprisonment is for fine defaulting not the speeding offence.

(b) It may be possible for an ad hoc program to be written to determine the number of drivers who receive a prison sentence as a result of defaulting on speed camera fines. However, it would take at least four weeks to prepare such a report as it would require the re-tasking of the Courts Administration Authority programmer to write and test the program. In addition to the time required to prepare the report, there would also be a significant cost to the Courts Administration Authority for making the report enhancement.

I provide the following information in relation to parts (c) and (d)—

(c) Where an offence (speeding or disobey traffic lights) is detected by camera, the Commissioner of Police will issue a Traffic Infringement Notice to the person who is recorded in the Register of motor vehicles as the registered owner of the vehicle.

If the registered owner expiates the Notice, no demerit points will be incurred.

However, if the registered owner denies liability for the offence, and identifies the actual driver of the vehicle by way of a statutory declaration, the Commissioner will issue another Notice to the person who has been identified as the driver.

If the driver expiates the Notice, he or she will incur the number of demerit points prescribed for the offence.

I am advised by the Registrar of Motor Vehicles that during the 1997-1998 financial year, only four drivers are known to have incurred demerit points for exceeding the speed limit by more than 40 km/h after having been identified by the registered owner as the actual driver of the vehicle.

(d) I am also advised that only one of those drivers was subsequently disqualified from holding or obtaining a driver's licence. In this case, the demerit points brought about a three month disqualification under the points demerit scheme. The points demerit scheme provides for disqualification for three months, where a person incurs 12 or more demerit points within any three year period.

### SCHOOL CARD

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

1. In light of the legally enforceable limits for materials and services levy of \$154 for primary students and \$205 for secondary students—

(a) Will the Minister for Education, Children's Services and Training raise the school card level payable by the State Government up to the legally enforceable limits of \$154 for primary students and \$205 for secondary students; and

(b) If not, why not?

2. How many primary students in metropolitan schools were in receipt of school card assistance for the years—

- (a) 1992-1993;
- (b) 1993-1994;
- (c) 1994-1995;
- (d) 1995-1996;
- (e) 1996-1997;
- (f) 1997-1998; and
- (g) estimated for 1998-1999?

3. How many high school students in metropolitan high schools were in receipt of school card assistance for the years—

- (a) 1992-1993;
- (b) 1993-1994;
- (c) 1994-1995;
- (d) 1995-1996;
- (e) 1996-1997;
- (f) 1997-1998; and
- (g) estimated for 1998-1999?

4. How many primary students in country South Australian schools were in receipt of school card assistance for the years—

- (a) 1992-1993;
- (b) 1993-1994;
- (c) 1994-1995;
- (d) 1995-1996;
- (e) 1996-1997;
- (f) 1997-1998; and
- (g) estimated for 1998-1999?

5. How many high school students in country South Australian schools were in receipt of school card assistance for the years—

- (a) 1992-1993;
- (b) 1993-1994;
- (c) 1994-1995;
- (d) 1995-1996;
- (e) 1996-1997;
- (f) 1997-1998; and
- (g) estimated for 1998-1999?

6. How much revenue has the Government spent on school card assistance for the years—

- (a) 1992-1993;
- (b) 1993-1994;
- (c) 1994-1995;
- (d) 1995-1996;

- (e) 1996-1997;
- (f) 1997-1998; and
- (g) estimated for 1998-1999?

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

1. The purpose of the School Card grant is to provide assistance to families towards the cost of the materials and services charge set by each individual school.

While legally enforceable limits apply, payment of the 'gap', (being the difference between the School Card Grant and the Materials and Services Charge) is voluntary for School Card Holders. For schools participating in Partnership 21 initiatives, the School Card Grant (\$110 for primary students and \$170 for secondary students) will be supplemented by an additional grant of \$51 for each School Card approved primary student and \$45 for each School Card approved secondary student.

2-5. Statistics on School Card recipients are not collected in the format requested by the honourable member, however, the following is a summary of the statistics held on file as they relate to School Card approvals for the periods 1992-93 to 1998-99.

For the school years 1992 to 1994, the statistics were collected for recipients of school card assistance in government and non-government schools, as follows:

School Year	Govt Schools	Non-govt Schools	Total
1992	67 355	12 008	79 363
1993	84 219	15 417	99 636
1994	87 464	17 055	104 519

For the school years 1995 to 1998, the statistics were recorded under the categories of primary students and secondary students and include both government and non-government School Card approvals, as follows:

School Year	Primary	Secondary	Total
1995	67 963	31 115	99 078
1996	68 885	32 065	99 658
1997	61 812	28 622	90 434
1998	62 537	31 333	93 870
1999	61 000 (est)	30 000 (est)	91 000 (est)

6. Expenditure on School Card assistance (including both Government and Non-Government Schools) is as follows, however, it should be noted that expenditure for 1992 and 1993 is estimated, as records were produced in a different format to that being requested.

School Year	\$ Million
1992	10.6 (est)
1993	13.4 (est)
1994	14.0
1995	13.3
1996	12.2
1997	11.6
1998	11.9
1999	12.2 (est)

**TOBACCO PRODUCTS REGULATION ACT**

32. **The Hon. T.G. CAMERON:** In relation to the new Smoke Free Dining changes under section 47 of the Tobacco Products Regulation Act 1997—

1. Up until 10 February 1999, how many premises have requested exemptions from these new changes?

2. Up until 10 February 1999, how many premises have been granted exemption from these new changes?

3. Could the Minister for Human Services provide a list of the names of all premises which have been granted exemptions from these changes?

4. On what grounds were these exemptions granted?

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

1. At 10 February 1999, 218 premises had applied for an exemption under Section 47 of the Tobacco Products Regulation Act.

2. At 10 February 1999, 16 premises had been granted conditional exemptions.

3. Attached are lists of licensed premises and unlicensed premises granted exemptions as at 27 October 1999.

4. The areas granted exemptions in licensed premises are bar or lounge areas ie areas primarily and predominantly used for the consumption of alcoholic drinks rather than meals.

The areas granted exemptions in unlicensed premises are areas not primarily and predominantly used for the consumption of meals.

In granting exemptions, issues looked at include smoke free access to dining areas, ventilation, and separation from smoke free areas.

Conditions applied to exemption approvals include ventilation requirements, maintaining buffer zones, delineation of the smoking permitted area and signage.

3. Licensed premises approved as at 27 October 1999:

- Aberfoyle Hub Tavern
- Adelaide Hilton Hotel
- Alfresco Gelateria
- Arab Steed Hotel
- Arkaba Hotel
- Avenues Tavern
- Barmera Golf Course Motel
- Barmera Hotel Motel
- Bath Hotel
- Bay Hotel/Motel
- Belair Hotel
- Berri Resort Hotel
- Big River Golf & Country Club
- Blair Athol Hotel
- Blue Gums Hotel
- Brecknock Hotel
- Bremen Hotel
- Bridgeport Hotel
- Bridgeway Hotel
- Britannia Hotel
- Bull & Bear Ale House
- Burra Community & Sports Club
- Cafe Flash
- Ceduna Community Hotel
- Chianti Restaurant
- Clovercrest Hotel
- Colonnades Tavern
- Corio Hotel
- Crows Social Club
- Cummins Community Hotel Ltd
- Duke of Brunswick Hotel
- Duke of York Hotel
- Earls Tavern
- Elizabeth Tavern
- Emu Hotel
- Eureka Tavern
- Excelsior Hotel
- Exeter Hotel, Adelaide
- Exeter Hotel, Exeter
- Findon Hotel
- Flagstaff Hotel
- General Havelock Hotel
- Gepps Cross Hotel
- Glendambo Tourist Centre
- Golden Grain Hotel
- Golden Grove Gateway Tavern
- Grand Tasman Hotel
- Hackney Hotel
- Hahndorf Old Mill Hotel
- Hendon Hotel
- Highbury Hotel-Motel
- Highlander Hotel
- Highway Inn Hotel
- Hotel Crown
- Hotel Elliot
- House of Chow Restaurant
- Hyatt Regency Adelaide
- Hyde Park Tavern
- Kimba Community Hotel Motel
- Kincraig Hotel
- La Trattoria Restaurant
- Largs Pier Hotel
- Leg Trap Hotel
- Leitch Roseworthy Hotel
- Links Hotel Motel
- Lyrup Community Club Inc
- Maid and Magpie Hotel
- Maid of Auckland Hotel
- Marion Hotel
- Marion Sports and Community Club Inc

Market Cafe  
 Marrabel Hotel  
 Marryatville Hotel  
 McLaren District Bowling Club Inc  
 Mick O'Shea's Irish Pub Pty Ltd  
 Moonta Football Club Inc  
 Morphet Arms Hotel  
 Morphetville Park Sporting Club  
 Mount Barker District Golf Club Inc  
 Murray Bridge & District Community Club  
 Newmarket Hotel  
 Norwood Hotel  
 OG Hotel  
 Old Noarlunga Hotel  
 Paradise Wirrina Cove  
 Pastoral Hotel  
 Planet Hotel  
 Players Hotel  
 Port Anchor Hotel  
 Port Noarlunga Hotel  
 Port Pirie Sporting & Community Club Inc  
 Railway Hotel  
 Red Lion Hotel  
 Reephram Hotel  
 Regency Tavern  
 Returned Services League Christies Beach  
 Rex Hotel  
 Reynella Hotel—Crown Inn  
 Rob Roy Hotel  
 Rose & Crown Hotel  
 Rosewater Hotel  
 Roulettes Tavern  
 Royal Hotel  
 SA Greyhound Racing Authority  
 Salisbury Bowling Club Inc  
 San Giorgio's Pizzeria  
 Seaton Hotel  
 Seven Starts Hotel  
 Southern Cross Tavern  
 Southgate Motel  
 St Leonards Inn  
 Streaky Bay Community Hotel Motel  
 Talbot Hotel  
 Tanunda Hotel  
 Tea Tree Gully Hotel  
 The Cove Tavern  
 The Daniel O'Connell Hotel  
 The Eagles Club Inc  
 The Garage Sale Bar and Bistro  
 The German Arms Hotel  
 The Grosvenor Hotel  
 The Lakes Resort Hotel  
 The Renmark Club Inc  
 The Rocks Tavern  
 The Strathmore Hotel  
 The Whitehorse Inn Hotel  
 Tonsley Hotel  
 Torrens Arms Hotel  
 Two Wells Hotel  
 Union Hotel  
 Ventnor Hotel  
 Wakefield Tavern  
 Warradale Hotel  
 West Croydon/Kilkenny RSL  
 Wombat Hotel  
 Woodville Hotel  
 Yorke Valley Hotel  
 Unlicensed premises approved as at 27 October 1999:  
 Big Wigs Cafe  
 Eat Cafe  
 Kappy's and Wright Pty Ltd  
 Lunch on Flinders  
 Michelle's Snack Bar  
 My Way Snack Bar  
 Sabine's Café & Bake Parabanks  
 Snoopy's Food Bistro & Ice Cream Parlour  
 Tiki Snack Bar  
 42nd St Cafe  
 Cafe Treats

Eat St Cafe  
 Milky's Snack Bar  
 Monty's Snack Bar  
 Pierrots Coffee lounge  
 Rainbow Snack Bar  
 Reuben's Espresso Bar  
 TTwins Quality Cafe  
 Walkway Cafe

#### DOCTORS, RURAL

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

1. In relation to the shortage of country general practitioners in South Australia, what steps is the Government undertaking to redress the shortage of rural doctors?

2. Will the Government take steps to increase the number of doctors in rural South Australia?

3. What steps is the Government taking to ensure the number of doctors in rural South Australia is in line with the National rural provision of 136.6?

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

1. In association with the South Australian Rural and Remote Medical Support Agency (SARRMSA) and the Commonwealth Government, a salaried locum service is available to rural general practitioners to enable them to take leave to further their Continuing Medical Education or to take recreation leave without the expense of employing a locum.

Much of the expense associated with attendance at Continuing Medical Education initiatives can also be recouped by rural medical practitioners, both general practitioners and specialists.

Funds have also been made available to support Continuing Medical Education workshops and courses in rural locations throughout the State.

A Scholarship Scheme supports rural origin undergraduates, through their last three years at University.

Funds are provided to assist both Medical Schools to send 4th and 6th year students to gain several weeks' experience of rural medical practice with rural general practitioners.

Support is provided to all three Universities for the Rural Clubs, which encourage and assist all health profession students to seriously consider working in rural areas.

Promotion of the health professions as a career is undertaken in country high schools.

The Rural Health Enhancement Program provides an additional loading on the Fees for Service paid by public, rural hospitals to medical practitioners, who reside in the country, for the provision of surgical, anaesthetic, and obstetric services to public patients, and doctors participating in the Accident and Emergency roster of those hospitals receive a payment for each day on the roster. In addition there are special arrangements to provide some support to those few country GPs who reside too far from a public hospital to participate in the After Hours Accident and Emergency roster but who do provide an after-hours service in their own rooms.

SARRMSA carries out a variety of functions to assist and support rural medical practitioners, including coordinating the Rural Divisions of General Practice, and administration of the above-mentioned Continuing Medical Education schemes and the *Joint Rural Locum Service*. The Agency is also funded by the Department of Human Services to carry out a number of projects concerned with the recruitment and retention of rural doctors. Significantly, one of those projects is the running of a campaign to recruit overseas-trained doctors who are suitable to undertake medical practice in rural South Australia.

The recruitment of overseas-trained doctors (OTDs) has had encouraging results. As a result there are currently 20 OTDs working in South Australia. Recruits have mainly come from South Africa and the UK. This has had a significant effect, noticeable both in the number of vacancies being advertised, and in the pressure on the Locum Service.

There are now about 23 practices with advertised vacancies compared with about 35 at the beginning of the year.

As result, the Government has extended the initial program for a further year.

In addition, the Commonwealth Government, through its Rural and Remote General Practitioner Program, provides significant financial incentives to Rural Workforce Agencies for general practitioners to relocate to rural and remote practices, and to undertake any necessary additional or refresher training. Financial assistance is also

provided for a support network for the spouses of rural medical practitioners. The Commonwealth Government is also prepared to provide short to medium term exemption from its statutory requirements in relation to the provision of Provider Numbers and Immigration for rural and remote areas of need.

The steps outlined above, have been in operation for some time. However, it takes approximately 10 years for a student to progress from the first year in medical school to graduating and undergoing further training before being sufficiently practised to undertake rural practice. Consequently, some of the above steps will require a number of years to elapse before results will be achieved and other short-term measures, such as the importation of overseas-trained doctors have also been implemented.

The government has obtained commonwealth funds to support the placement of three Advanced Trainee specialists in rural regional hospitals (two at Whyalla, and one at Mount Gambier). Funding through the Department of Human Services supports one Obstetrics and Gynaecology Advanced Trainee at Mount Gambier.

The number of positions available for trainee medical practitioners to undertake the Royal Australian College of General Practitioners (RACGP) Training Program is inadequate for the needs in this State. This matter has been taken up with the Commonwealth Government which sets the overall number and with the RACGP which allocates the portions between the States in an effort to redress the situation. The initial reaction has been to increase the number for SA marginally. Further discussions are proceeding.

2 & 3. See answer to question 1.

#### MENTAL HEALTH

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

1. Why has the Minister for Human Services recently cut a further \$600 000 from mental health, considering his admission of an increased demand for mental health services?

2. Following a recent report in the *Advertiser* (2 December 1995, page 15) concerning patients with a mental illness having to pay \$600 a year towards the costs of medication to control their behaviour—

(a) Has the Minister considered the ramifications of these costs on mental health patients, such as those who suffer from Schizophrenia who cannot afford to buy their medication;

(b) Has the Minister considered the associated costs, not only to patients and their families, but to the community, when people with a mental illness cannot afford to take or buy their medication; and

(c) If not, why not?

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

1. There has been no funding cut to the public mental health services, in fact the opposite is true, with additional funding of \$3.4 million per year through the Interim Mental Health Plan being announced by the Minister in May of this year. The issues raised by the Hon Member and referred to in the article which appeared in "The Advertiser" on 2 December 1998 relate to some patients who had previously received their medication at no cost through the public mental health system now receiving their drugs through (PBS) prescription for which they would make a contribution.

2. The Department of Human Services and service providers have fully considered the implication of introducing changes to the provision of medication to people with a mental illness in the community. These changes are in line with normal practice throughout the health system with hospitals required under the Australian Health Care Agreement to fund medication while a person is an inpatient and at the point of discharge.

In introducing these changes, safety net provisions have been implemented to ensure that medications are available to mental health patients in the community.

These provisions include:

- no patient under Guardianship Board Orders is required to pay;
- no patient who refuses to pay is refused appropriate medications;
- no patient who experiences hardship of any kind is required to pay.

As a result approximately 30 per cent of the clients of the public mental health services continue to receive their medications without cost.

The clinical needs of clients have remained the primary consideration. In some cases this has resulted in the continued use of high cost medications at the agencies' expense.

Consumer comment and feedback on these changes has been positive with some clients reporting a significantly more comfortable relationship with their GPs and Pharmacists and they 'felt less discriminated against now they were treated the same as other patients'.

The implementation continues to be closely monitored by service providers with a planning process under way to evaluate the outcomes in the New Year.

#### ACCESS CABS

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

1. Why were dozens of elderly and disabled people around Adelaide left waiting for as long as three hours for an Access cab on Christmas day last year?

2. Are Access cab drivers allowed to organise private bookings at the expense of pre-booked clients?

3. What actions has the Passenger Transport Board undertaken to ensure similar waiting times and problems are not repeated this year?

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

1. While totally unacceptable, there were only nine customers who experienced delays of three hours or longer on Christmas Day 1998—representing 0.09 per cent of all bookings made that day. These delays were caused by—

- The significant number of direct bookings taken by drivers;
- The lower than expected productivity of some drivers; and
- The increased number of bookings accepted, with too many bookings being accepted between the hours of 10 a.m. to 11 a.m. and between 3 p.m. and 4 p.m.

2. Access Cab drivers were advised by the Central Booking Service not to accept direct bookings on Christmas Day 1998. Despite this, it has been estimated that 300 direct bookings were accepted by drivers on Christmas Day. Hence, they were not available to do Access Cabs bookings from 8 a.m. to 6 p.m. as required by their licence conditions. This action directly affected the ability of Access Cabs to provide a timely service to all customers because Access Cabs accepted bookings unaware that drivers and their cabs would be unavailable to fill the bookings due to the direct bookings they had accepted.

3. The Passenger Transport Board has been working with Access Cab management and cab owner/drivers to ensure that these difficulties are not repeated on future Christmas and other peak demand days. Initiatives include—

- Early booking and allocation of work;
- Ensuring drivers are available at times of maximum booking demand; and
- Possible use of accessible vehicles from Councils and community organisations.

#### ROSS RIVER VIRUS

41. **The Hon. T.G. CAMERON:** Following recent media reports on the dangers of the Ross River Virus—

1. (a) Is the Ross River Virus spreading through South Australia; and

(b) How serious a medical threat is it?

2. How many confirmed cases of Ross River Virus have been reported to medical authorities in—

(a) 1996-1997; and

(b) 1997-1998?

3. What impact is the virus having on sheep, cattle, horses and other livestock in South Australia?

4. Are metropolitan wetlands a breeding ground for mosquitoes and therefore for the Ross River Virus and other diseases?

5. What strategies has the government implemented, or will the Government implement, to combat the spread of the Ross River Virus in South Australia?

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

1. (a) There is no reason to believe it is spreading. RRv is endemic throughout coastal Australia and along inland watercourses. All South Australian cases are interviewed by the Communicable Disease Control Branch of the Department of Human Services (CDCB) to ascertain the likely site of acquisition. Most cases are acquired in the Riverland. RRv infection is rarely if ever acquired in metropolitan Adelaide. Large numbers of cases were first reported from the north of the State in the 1996-97 season but this was associated with unseasonal heavy rains and flooding.

(b) Most infections with RRv are asymptomatic. It is a self-limiting illness that usually lasts for weeks to months but can persist for two or more years. In the South Australian study conducted by the CDCB after the 1992-93 season 98 per cent of symptomatic cases had joint pains, 94 per cent suffered lethargy, 79 per cent myalgia, 64 per cent had a rash and 59 per cent had headaches.

2. (a) 1996-97 659 cases, and  
(b) 1997-98 38 cases.

3. This is outside the jurisdiction of the Minister for Human Services. It is suggested the Hon Member approach the Minister for Primary Industry and Natural Resources.

4. Properly constructed and maintained wetlands are not regarded as representing a significant risk in terms of mosquito breeding. Typically these wetlands incorporate design features that minimise the risk such as:

- (a) steep banks to promote wave action so that the female mosquito cannot land to lay eggs,
- (b) sufficient water depth to permit access by predatory fish and other aquatic animals to likely breeding sites,
- (c) an appropriate maintenance program to ensure silting does not occur and vegetation does not establish on the waters edge,
- (d) stocking with native fish, which consume mosquito larvae.

Natural wetlands can be a breeding ground for mosquitoes and require surveillance and an appropriate control program.

Of the 110 known species of mosquitoes in South Eastern Australia only a few are of major importance as vectors of disease. In South Australia there are three species which may transmit Ross River Virus, these are; *Aedes camptorhynchus* and *Aedes vigilax* which are salt marsh species and *Culex annulirostris* which is a fresh water species. In urban areas the nuisance species *Aedes notoscriptus* and *Culex quinquefasciatus* are more common. These species are container breeders and may be found in rainwater tanks, small containers or ornamental ponds and are associated with domestic dwellings.

5. Under the provisions of the Public and Environmental Health Act the responsibility for mosquito control in South Australia is undertaken by Local Councils in Local Government areas and the South Australian Health Commission in other areas of the State. Each agency has a duty of care under the Act to promote proper standards of health within its area and to prevent the occurrence and spread of a notifiable disease such as RRv.

The Department of Human Services also provides:

- (a) information to State and Local Government, industry and the public on mosquito control programs, chemical and biological larvicides and adulticides and species identification;
- (b) media releases during peak summer school holiday periods warning people who may go to an area where mosquitoes breed to wear long loose fitting clothing and apply an appropriate repellent to any exposed skin;
- (c) a pamphlet to local councils, caravan parks, tourist centres and community centres which provides information on protection measures, eliminating breeding sites and control of mosquitoes around the home.

An Inter-Agency Working Party has been established with representatives from Primary Industries and Natural Resources South Australia, Department of Environment Heritage and Aboriginal Affairs, Land Management Corporation, SA Water and the Department of Human Services to review the problems associated with mosquitoes across the State with a view to preparing a statewide strategic management plan. The working party is to also review the need for mosquito research and develop a research plan with costings. On completion of the review the working party will undertake further consultation with local government and other agencies prior to submitting its findings to Government.

#### SPEEDING OFFENCES

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

1. How many motorists were caught speeding in South Australia between 1 January 1999 and 31 December 1999 by:

- (a) speed cameras;
  - (b) laser guns; and
  - (c) other means;
- for the following speed zones—  
60-70 km/h;  
70-80 km/h;

80-90 km/h;  
90-100 km/h;  
100-110 km/h;  
110 km/h and over?

2. Over the same period, how much revenue was raised from speeding fines in South Australia for each of these percentiles by:

- (a) speed cameras;
- (b) laser guns; and
- (c) other means?

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

Speeding offences issued and expiated between  
1 January 1999 and 31 March 1999.

Motorists caught speeding by:

Speed cameras	63 345
Laser guns	No Separate data available
Other means	17 216

For the following speed categories (speed camera offences only, and relate to a variety of speed limits and speed zones):

60-69 km/h	277
70-79 km/h	46 507
80-89 km/h	5 364
90-99 km/h	5 592
100-109 km/h	1 664
110 km/h and over	392
Unknown	13

Revenue raised from:

Speed cameras	\$6 659 785
Laser guns	No data available to match question
Other means	\$2 230 716

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

1. How many motorists were caught speeding in South Australia between 1 April 1999 and 30 June 1999 by:

- (a) speed cameras
  - (b) laser guns; and
  - (c) other means;
- for the following speed zones

60-70 km/h;  
70-80 km/h;  
80-90 km/h;  
90-100 km/h;  
100-110 km/h;

110 km/h and over?

2. Over the same period, how much revenue was raised from speeding fines in South Australia for each of these percentiles by:

- (a) speed cameras;
- (b) laser guns; and
- (c) other means?

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

Speeding offences issued and expiated between  
1 April 1999 and 30 June 1999

Motorists Caught Speeding By:

Speed Cameras	51 100
Laser Guns	No separate data available
Other Means	18 504

For the following Speed Categories (speed camera offences only, and relate to a variety of speed limits and speed zones):

60-69 km/h	144
70-79 km/h	39 181
80-89 km/h	4 133
90-99 km/h	4 195
100-109 km/h	1 506
110 km/h and over	313
Unknown	9

Revenue raised from:

Speed Cameras	\$5 908 868
Laser Guns	No data available to match question
Other Means	\$2 445 892

#### GOVERNMENT CHARGES

50. **The Hon. T. G. CAMERON:** For each State Government Department, will the Minister list:

1. All administration fees, fines, charges or taxes that were increased as a result of the 1999-2000 State Budget?



2. How much were each of these administration fees, fines, charges or taxes increased?

3. What were the previous levels of each of these administration fees, fines, charges or taxes prior to the increases?

4. Individually, and in total, how much revenue is estimated will be raised for each of these administration fees, fines, charges or taxes as a result of the 1999-2000 State Budget increases?

**The Hon. R.I. LUCAS:** The answer to this question was provided to the honourable member by letter on 27 September 1999.

**SPEED CAMERAS**

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

1. How many motorists were caught by speed cameras and issued an infringement notice during the years:

- (a) 1996-1997;
- (b) 1997-1998; and
- (c) 1998-1999?

2. Of these, how many motorists asked for a photograph to be sent to confirm their offence for the same time periods:

- (a) 1996-1997;
- (b) 1997-1998; and
- (c) 1998-1999?

3. How many motorists sent a photograph to confirm a speed camera offence were subsequently found to be not guilty for whatever reason?

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the Police of the following information: 1. Speeding offences issued during 1996-97, 1997-98 and 1998-99.

1996-97	288 459
1997-98	288 074
1998-99	247 797

2. SAPOL's Expiation Notice Branch receives requests for about 200 photographs each day. A breakdown by financial years is unable to be provided because no such records are maintained.

3. Statistics are not maintained to enable an answer to this question.

**DIRECTIONS FOR REGIONAL SOUTH AUSTRALIA**

58. **The Hon. R.R. ROBERTS:**

- 1. What was the cost of publishing 'Directions for Regional South Australia'?
- 2. What was the cost of its distribution?
- 3. (a) How was it funded; and (b) Who paid for the publication?
- 4. (a) Were any consultants engaged for this publication; and (b) If so, how much were the consultants paid?

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

1. The total cost of producing this 12 page newsletter which was inserted into 27 regional newspapers was \$47 588.26.

2. Within the total cost of \$47 588.26, the cost of distribution included an insertion fee into the newspapers of \$13 053.26 and a distribution cost of \$1 800.00 for delivery from the printer to the 27 regional newspapers.

- 3. (a) The budget was sourced from the Premier's other Payments State Promotion line. (b) The publication was paid out of State Promotion.
- 4. (a) No consultants were engaged. Payments were made for design and printing. (b) No consultants were paid.

**LYELL McEWIN HOSPITAL**

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

1. Why have the number of surgical wards at the Lyell McEwin Hospital been cut from two to one?

2. Is the Minister for Human Services aware of allegations that some patients at the Lyell McEwin Hospital are being discharged too early and that this has led to their falling ill and having to be readmitted to hospital?

3. What were the staff levels at the Lyell McEwin Hospital for the years:

- (a) 1995-1996;
- (b) 1996-1997;
- (c) 1997-1998; and
- (d) 1998-1999?

4. What was the total financial budget for the Lyell McEwin Hospital for the years:

- (a) 1995-1996;
- (b) 1996-1997;
- (c) 1997-1998; and
- (d) 1998-1999?

5. What was the financial budget for the Emergency Section of Lyell McEwin Hospital for the years:

- (a) 1995-1996;
- (b) 1996-1997;
- (c) 1997-1998; and
- (d) 1998-1999?

6. What were the staff levels at the Lyell McEwin Hospital's Emergency Section for the years:

- (a) 1995-1996;
- (b) 1996-1997;
- (c) 1997-1998; and
- (d) 1998-1999?

7. How many people sought medical assistance at the Emergency Section at the Lyell McEwin Hospital for the periods:

- (a) 1995-1996;
- (b) 1996-1997;
- (c) 1997-1998; and
- (d) 1998-1999?

8. What were the average waiting times for patients seeking medical assistance at the Emergency Section at the Lyell McEwin Hospital for periods:

- (a) 1995-1996;
- (b) 1996-1997;
- (c) 1997-1998; and
- (d) 1998-1999?

9. Is the Minister for Human Services aware of allegations the amount of the time spent by nurses on paperwork has increased substantially at the Lyell McEwin Hospital over the past four years?

**The Hon. DIANA LAIDLAW:**

1. The beds in the surgical ward were closed because the increasing use of same day surgery, decreases in length of stay due to use of endoscopic surgery and other leading edge technologies, and innovative programs such as the hospital in the home program meant that less beds were required in order to service the existing level of surgical admissions.

2. The timing of discharge of patients from hospital is to be only in accordance with medical indications. The discharge of patients who are medically not ready for discharge is a matter of concern that I would arrange to be fully investigated if information identifying such possible cases is provided to me.

3. The staff levels at the Lyell McEwin Hospital (including agency staff)

1995-96:	708.7 average FTEs
1996-97:	710.7
1997-98:	734.3
1998-99:	756.32

4. The net expenditure budget for the Lyell McEwin Hospital

1995-96:	\$42.13 million
1996-97:	\$45.74 million
1997-98:	\$48.14 million
1998-99:	\$49.79 million

5. Funding budget for the Lyell McEwin's Emergency Department:

1995-96:	\$2.85 million
1996-97:	\$3.31 million
1997-98:	\$4.33 million
1998-99:	\$5.74 million

6. Staff levels at the Lyell McEwin's Emergency Department:

1995-96:	58 FTE
1996-97:	63 FTE
1997-98:	63 FTE
1998-99:	65 FTE

7. 1995-96: not available  
1996-97: 35 939 occasions of service  
1997-98: 37 361 occasions of service  
1998-99: 39 876 occasions of service

8. The average waiting time at Lyell McEwin in 1998-99 across all patients was 54 minutes. However, the Emergency Department uses a priority classification system, which identifies the degree of urgency for treatment, to manage the flow of patients through the department. Patients are rated on a clinical urgency scale of 1 to 5 with the most acutely ill (priority code 1) being attended to first. Consequently, an average waiting time is not a useful monitor of performance.

Waiting times in each priority code in the Emergency Department are evaluated against performance benchmarks and targets. Comparative figures for previous years are not available due to differences in data definitions and recording mechanisms. LMHS performance in 1998-1999 was as follows:

- Priority code 1 (resuscitation patients; benchmark—100 per cent of patients seen by a medical officer immediately)—89 per cent of patients seen within the benchmark
- Priority code 2 (emergency patients; benchmark—at least 70 per cent of patients seen by a medical officer within 10 minutes)—57 per cent of patients seen within the benchmark
- Priority code 3 (urgent patients; benchmark—at least 60 per cent of patients seen by a medical officer within 30 minutes)—54 per cent of patients seen within the benchmark
- Priority code 4 (semi urgent patients; target—patients seen by a medical officer within 60 minutes)—57 per cent of patients seen within the target
- Priority code 5 (non-urgent patients; target—patients seen by a medical officer within 120 minutes)—90 per cent of patients seen within target

9. All hospital clinical staff are required to provide good documentation of their clinical activities for reasons of good clinical practice as well as medico-legal reasons. The time spent on such activities is presently not quantitatively measured as to do so requires significant time and expense. Any allegations about increases in time spent on 'paperwork'; would be investigated thoroughly if they contained sufficient details to allow investigation.

### RAIL REFORM

#### 60. The Hon. SANDRA KANCK:

1. What companies/organisations applied for funding from the Rail Reform Transitional Scheme set up as a result of the sale of Australian Railways in 1997?

2. What companies/organisations received funding from the Rail Reform Transitional Scheme?

3. What was the assessment process by which applications for grants were approved or rejected?

**The Hon. DIANA LAIDLAW:** The Minister for Industry and Trade has been advised as follows:

1. Projects relating to the regions affected by the sale of Australian National have been proposed by a range of enterprises, regional development bodies and other incorporated bodies, State and Local Government, and non government organisations that have an interest or role in economic development. A total of 187 organisations applied for funding under the program. As many of these applications were commercial in confidence it is not appropriate to itemise the individual applicants which were not successful.

2. I have tabled a financial spreadsheet which itemises the 58 organisations that have been approved to receive funding under the program (Attachment 1) and by region. The Commonwealth government has announced these successful projects in the media.

3. The Commonwealth Minister for Regional Services, Territories and Local Government, approves or rejects all proposals. Proposals have until recently, been recommended to the Commonwealth Minister after consideration by a State Advisory Committee. The Committee met for the last time on 19 August 1999.

This State Committee comprised

- State Member for Bragg (Chair)
- Federal Member for Adelaide
- Federal Member for Grey
- A Representative of the Commonwealth Department of Transport and Regional Services
- SA Local Government Association Representative
- SA Employers Chamber Representative
- United Trades and Labor Council of SA Representative
- Representative of the State Department of Industry and Trade

Any future recommendations will be presented by the Department of Industry and Trade to the relevant Federal Member for endorsement prior to presenting a recommendation to the Commonwealth Minister.

Prior to recommendation, proposals are considered predominantly against their capacity to create, directly or indirectly, sustainable employment opportunities in the regions which were affected by the sale of Australian National.

The assessment criteria for the program points out that successful projects should:

- Encourage investment, especially by the private sector, in economic activity;

- be soundly researched and documented including a business plan and employment generation targets;
- have the support of key stakeholders especially from community, relevant levels of Government and the private sector. Projects that also have in-kind or financial support from these sources would be significantly advantaged;
- be additional. In other words, they would not be expected to proceed in the absence of support from the Rail Reform Transition Program;
- be delivered by and organisation with the capacity to successfully implement and complete the project;
- not be inconsistent with Commonwealth Government policy objectives in related fields including within the rail reform area itself;
- be strongly outcome oriented- funds to support ongoing costs of existing or new organisations are not provided and generalised research or strategic or other development plans would not qualify.

The Commonwealth Minister then considers the recommendations against this criteria.

#### Attachment 1

##### Upper Spencer Region Projects

Upper Spencer  
SA Fishing and Seafood Council Aqua Traineeships  
Evans Deakin TIA Clyde Engineering  
City of Port Augusta Electronic Trading  
Flinders Aquaculture Pty Ltd  
Peterborough Cabinets (Carmark Pty Ltd)  
Pichi Richi Railway Preservation Society  
City of Port Augusta Port Augusta Airport  
City of Port Augusta Port Augusta Foreshore  
SA Aquaculture Mgt Pty Ltd  
Spencer Gulf Aquaculture Pty Ltd  
City of Whyalla Whyalla Boat Ramp  
Wilmington  
Tourism  
Spencer Plastic Recyclers  
Seafield Services Pty Ltd (Port Pirie Motor Inn)  
Port Pirie City and Dist. Council Tourism Initiative

##### Lower Spencer

Dist Council Ceduna—Airport  
Clean Seas Pty Ltd/Bexham Pty Ltd Arno Bay  
Eyre Aquaculture Pty Ltd, Cowell  
Navajo Pty Ltd, Cowell  
Dist Council Franklin Harbour  
Dist Council Lower Eyre—Port Lincoln Airport  
SA Seafoods Pty Ltd  
Robert Smart Trust  
Smoky Bay Boat Ramp  
Spencer Gulf Farms, Pt Lincoln  
Eyre Enterprises Pty Ltd

##### Other Regions Projects

Barossa Tourist Train  
Jackson Metal Murray Bridge  
Murray Bridge  
Bacon

##### Adelaide Region Projects

Angelakis  
AVK Group Valves  
Austral Meat (Producer Processors)  
Bluebird  
Copperpot  
FA Miller and Son  
Freshlink/DP Exports  
Glen Ewin  
GroPep  
International Hydroponics (Suregrow)  
Kilburn Sports Club  
Miller Global Enterprises  
City Port Adelaide/Enf. Northern Territory Links  
Omnipol International Pty Ltd OPA  
Defranceschi Brister Pty Ltd Springdale, Aust. Paper  
Steel Building Systems Ant Steel Road  
Royal Zoological Society Tyre Waste Pty Ltd  
WABEC Incubator  
Mobile Reclaimers Pty Ltd  
Approved projects later withdrawn.  
G&R Rail Supplies  
Dryland Engineering Pty Ltd

SA Oyster Growers Association  
 Port Pirie Regional Development Board—Container facility  
 CRC for Tissue Growth—Biotechnology incubator  
 A Raptis and Son

**ROAD RULES**

61. **The Hon. SANDRA KANCK:** Under the proposed Australian Road Rules, will a cyclist faced with the choice of travelling on the road or using a shared path, i.e. a pathway dedicated to cyclists and pedestrians, be lawfully obliged to use the shared pathway rather than the road?

**The Hon. DIANA LAIDLAW:** Under the Australian Road Rules, a cyclist will have the choice as to whether to ride on the road or a shared pathway, unless riding on the road is specifically prohibited e.g., Southern Expressway or South Eastern Freeway.

**TRANSPORT, TICKET VALIDATION**

63. **The Hon. SANDRA KANCK:**

1. When a single ticket is validated several times in the course of a journey, does each individual validation attract a subsidy for the respective carrier, e.g. on a single two hour ticket, if a passenger catches a train from Goodwood to Adelaide, then boards a train to Salisbury, then catches a Serco bus to another destination, is that three subsidies or just one?

2. If this is just one subsidy, how is it determined which carrier receives the subsidy?

3. What is the value of each subsidy, i.e. does the subsidy alter for multi-trip tickets, concession tickets, etc?

**The Hon. DIANA LAIDLAW:**

1. Under current contracting arrangements each validation of a Metroticket, whether for initial boarding or transfer, results in an incentive payment to the contractor receiving the validation.

2. The resulting 'Incentive Payment' is paid at the agreed rate per boarding for the relevant contract area. This rate varies between contracts according to the agreed average trip length for the relevant contract area.

3. Under these arrangements, payments to contractors are unrelated to the type of tickets validated on their services. The incentive payment is designed to encourage operators to increase patronage. The Passenger Transport Board collects from contractors any fare revenue received by contractors.

**CHILDREN, DISABILITIES**

64. **The Hon. SANDRA KANCK:**

1. Can the Minister for Education, Children's Services and Training confirm the Government's commitment to early childhood support services for children with disabilities?

2. Can the Minister advise the funding levels for non-school organisations providing specialist support to children and students with disabilities in each of the past five years?

3. Can the Minister reassure parents of young people with disabilities that current services will not be reduced and that the children will continue to access at least the current level of services with the current specialist support?

4. Can the Minister advise the increase in numbers of children and students with disabilities within early childhood settings and schools during the past five years?

5. Did the Minister provide a guarantee to the Director of the Cora Barclay Centre for Children with Hearing Impairment, Ms. Jill Duncan, and a Council member of the Centre, Mrs. Anthea MacNamara, on 12 March 1999, that the Centre would continue to receive a Ministerial Grant in addition to per capita funding?

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

1. The Department of Education, Training and Employment is committed to improving learning outcomes for children with disabilities and/or developmental delay in education and care settings. This is evidenced by the provision of the following:

- Consultancy Services
- These include:
  - Early Childhood Support Services (speech pathology, psychology, special education, social work and toy library services)
  - Preschool Support Program
  - Parent Guidance, supporting parents of children with hearing impairment

- Visiting Teacher Service, supporting children with vision impairment

Specialised Programs

These include:

- 'The Briars' Special Early Learning Centre, a purpose built preschool centre for children with global developmental delay and other disabilities is currently under construction to replace the current Kent Town preschool site.
- Kilparrin Teaching and Assessment Unit for sensory and other disabilities
- Klemzig Primary School Auslan Early Language Program
- 7 Speech and Language Programs

Collaborative Programs

- Speech Pathology services in the Far North, Iron Triangle and Eyre Peninsula with the Department of Human Services

Increased resources

- As part of the Early Years Strategy, the department has increased the provision of speech pathology services to Early Childhood with an additional 3 FTE in 1998, and increased funding for the Preschool Support Program from \$843 800 in 1995-96 to \$1 148 550 in 1998-99.

2. Each year, Commonwealth funding (Targeted and National Priority Programs—Special Education) and State funding to support children and students with disabilities is allocated to non school organisations. The amounts allocated are approved following advice from the Ministerial Advisory Committee: Students with Disabilities.

The total amounts of Commonwealth/State funding to non school organisations in this State are provided in Table 1. The non school organisations provide specialist support services to children and students in early intervention programs, preschools and schools. In the latter instance, students may be enrolled in State, Catholic or independent schools. All three education sectors value this specialist support which increases access and participation for students with disabilities and allows consultants and teachers to collaborate in the development of learning programs for these students. The number of students supported by these organisations is provided in Table 2.

3. Commonwealth/State allocations have always represented supplementary funding for the non school organisations which raise additional revenue from other sources. As in previous years, it is anticipated that total Commonwealth/State funding will not decrease and may increase slightly. In 1999, the total amount was \$5 484 000.

In 1998, the Ministerial Advisory Committee: Students with Disabilities established a Task Group to develop a new funding formula for Commonwealth/State allocations to non school organisations. I have approved the formula to be implemented over a two-year period, beginning in the year 2000.

The new funding formula is based on the needs of children and students with disabilities. Funding will be allocated according to five categories (levels of need) with different weightings assigned to each category. The formula will result in similar amounts of per capita funding being allocated to all students with similar levels of need, irrespective of which non school organisation is providing support.

The Advisory Committee has continued to consult with the non school organisations about the process of allocating Commonwealth/State funding. Many of the non school organisations have welcomed both the simplicity and equity of the new application process.

4. Details of the numbers of children and students receiving support from the non school organisations are provided in Table 2.

Some children and students access services from more than one non school organisation and are counted more than once.

Children and students with disabilities in government schools

1994	1995	1996	1997	1998
8 700	9 700	10 400	10 800	10 800

5. The Cora Barclay Centre is a non school organisation that provides support for children with hearing impairment. The Centre uses an auditory verbal teaching approach to promote the acquisition of spoken language through audition and provides the following programs:

- kindergarten, playgroup and toy library (early childhood services)
- early intervention program
- school support service.
- Early Childhood Services

The Cora Barclay Centre's early childhood services include a kindergarten, playgroup and toy library. In 1999, thirty children attended the kindergarten (ten of whom had a hearing impairment). Approximately, eighteen families have used the play-

group. According to the Cora Barclay Centre's Director, Dr Jill Duncan, approximately five children with hearing impairment may have attended playgroup sessions.

- As the majority of children attending the Cora Barclay Centre's early childhood services do not have a disability, Commonwealth/State Special Education funding cannot be provided. The early childhood services do not meet the disability funding criteria.

Arrangements have been made for the Cora Barclay Centre to apply for preschool funding from the Department of Education, Training and Employment. This will provide funding for all children attending the Cora Barclay kindergarten, including those with hearing impairment.

- Early Intervention Program

In 1999, twenty-three children, under the age of six years, with hearing impairment received support through the Cora Barclay Early Intervention Program. Some of these children also attend the kindergarten. This program is supported by funding from the Commonwealth/State Special Education allocations.

- School Support Program

In 1999, 156 children with hearing impairment, attending non-government schools, received school based support from the Cora Barclay Centre. Funding from the Commonwealth/State Special Education allocations supports this program.

I have met with representatives of the Cora Barclay Centre and discussed these funding allocations with them.

It is important to note that the non school organisations are not the only organisations providing support for students with disabilities. In relation to students with hearing impairment, the Department of Education, Training and Employment currently supports approximately 630 children and students with similar disabilities as those attending the Cora Barclay Centre programs. The department runs an early intervention program (Parent Guidance) for 38 children with hearing impairment. In 1998, the Department supported a total number of 52 children with hearing impairment in preschools and 541 students in state schools (R-12) including 172 in specialist Centres for Hearing Impaired Children (CHIC Centres).

Table 1  
State/Commonwealth Allocations to Non School Organisations  
Ministerial Advisory Committee: Students with Disabilities

Organisation	1995	1996	1997	1998	1999
Adelaide Centre for Children with Motor Disorders	\$31,000	\$20,160	\$18,931	\$19,357	\$19,357
Mitcham Early Development Program	\$9,600	\$9,200	\$17,000	\$17,383	\$18,383
Guide Dogs Association	\$13,000	\$10,200	\$13,600	\$5,100	\$5,100
Autism Association	\$870,000	\$820,000	\$823,106	\$832,461	\$862,461
Crippled Children's Association	\$570,000	\$588,676	\$600,000	\$600,000	\$610,000
Townsend House	\$48,000	\$53,000	\$55,000	\$56,237	\$78,237
Cora Barclay Centre	\$443,000	\$417,000	\$404,540	\$409,709	\$409,709
Down Syndrome Society	\$156,000	\$162,000	\$159,600	\$160,410	\$204,410
Lower Eyre Peninsula Early Intervention Program	\$0	\$0	\$0	\$19,833	\$12,833
Child and Youth Health - Access Assistants Program	\$1,467,000	\$1,546,444	\$1,538,947	\$1,675,156	\$1,735,156
Non Government Special Schools	\$685,314	\$707,245	\$726,294	\$742,636	\$772,636
DETE/CCA Joint Speech and Language Program	\$253,900	\$222,528	\$222,528	\$227,528	
DETE Preschool Support Program	\$190,000	\$222,720	\$260,000	\$265,850	\$547,950
DETE Riverland Combined Speech and Language Program	\$0	\$0	\$24,031	\$29,441	
Transport for students with disabilities	\$300,000	\$300,000	\$300,000	Paid by the Department of Education, Training and Employment	
Joint Sector Intensive & Crisis Support	\$40,000	\$33,000	\$43,000	\$43,968	\$43,968
Tutoring Program for Children in Residential Institutions	\$160,116	\$170,400	\$179,400	\$179,400	\$163,800
<b>TOTAL</b>	<b>\$5,236,930</b>	<b>\$5,282,573</b>	<b>\$5,385,977</b>	<b>\$5,284,469</b>	<b>\$5,484,000</b>

Table 2  
Children and Students Receiving Support from Non School Organisations –  
Ministerial Advisory Committee: Students with Disabilities

Organisation	1995	1996	1997	1998	1999
Adelaide Centre for Children with Motor Disorders	11	6	7	6	5
Mitcham Early Development Program	14	13	8	10	12
Guide Dogs Association	69	34	21	23	23
Autism Association	295	350	453	402	515
Crippled Children's Association	722	787	832	868	919
Townsend House (Early Intervention only until 1998)	46	40	43	177	109
Cora Barclay Centre	135	113	115	117	104
Down Syndrome Society	240	256	282	295	295
Lower Eyre Peninsula Early Intervention Program	-	-	-	16	11
Child and Youth Health - Access Assistants Program	543	514	343	425	663
Non Government Special Schools	147	147	149	146	147
DETE/CCA Joint Speech and Language Program	36	36	36	36	
DETE Preschool Support Program	476	580	755	615	698
DETE Riverland Combined Speech and Language Program	-	-	10	11	
Joint Sector Intensive & Crisis Support (DETE only until 1998)	12	16	19	31	24

Table 2  
Children and Students Receiving Support from Non School Organisations –  
Ministerial Advisory Committee: Students with Disabilities

Organisation	1995	1996	1997	1998	1999
Tutoring Program for Children in Residential Institutions	820	852	920	920	840
<b>TOTAL</b>	<b>3566</b>	<b>3744</b>	<b>3993</b>	<b>4098</b>	<b>4365</b>

Note: Children and student numbers are taken from Funding Application forms received from the non school organisations.

### ABORIGINAL SITES

66. **The Hon. SANDRA KANCK:**

1. Can the Minister for Aboriginal Affairs advise how many sites and/or objects have been added to the Register of Aboriginal Sites and Objects since the 1993 South Australian Election?

2. Can the Minister for Aboriginal Affairs advise how many sites and/or objects have been removed from the Register of Aboriginal Sites and Objects since the 1993 South Australian Election?

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

1. None.
2. One.

### JET SKIS

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

1. When will a decision be made on which beaches are likely to be designated as jet ski friendly zones?

2. Before the introduction of jet ski friendly zones on Adelaide's metropolitan beaches, will Transport SA be required to consult with the local communities and Councils in advance before a decision is made?

3. If not, why not?

**The Hon. DIANA LAIDLAW:**

1.-3. Further consultation is required with relevant stakeholders, including local communities and Councils, before a decision will be made regarding which beaches, if any, may be suitable for zoning as Jetski or powered watercraft zones.

### YOUTH AFFAIRS COUNCIL OF SOUTH AUSTRALIA

73. **The Hon. SANDRA KANCK:**

1. Will the Minister for Youth fulfil the Government's election promise of continuing support for the community youth sector by providing core funding to the Youth Affairs Council of South Australia (YACSA)?

2. Does the Minister acknowledge that the outcome of the YACSA Committee of Review 1998 recommended continued triennial funding?

3. Will the Minister comply with the undertakings of the former Minister for Youth, The Hon. Joan Hall, M.P., 'that the Government will be seeking to negotiate a new triennial agreement' on the completion of the YACSA Review?

4. Given the Minister's stated position in a letter to The Hon. Sandra Kanck, dated 21 October 1999, that 'I do not agree that triennial funding is the most suitable arrangement at this time', does the Minister concede that he is unable to enter into funding negotiations with YACSA in good faith?

5. Why will the Minister not release the unedited copy of the YACSA Review?

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

1. Extensive negotiation has taken place over the past few months between the Government and the Youth Affairs Council of South Australia (YACSA), concerning the basis for future operation and reporting procedures for YACSA, with mutual agreement having now been reached. During this time, on-going core funding has been provided. However, it is important to add that the provision of any funding must be subject to appropriate agreement.

2. The matter of triennial funding will be the subject of further discussion with YACSA as part of the bilateral discussions.

3. It is anticipated that further discussion and negotiation will commence shortly in respect of the basis of funding after 30 June 2000, as part of the forthcoming budget bilaterals.

4. The funding negotiations referred to will be undertaken in the appropriate spirit that will enable the most suitable arrangements to be concluded.

5. The unedited copy of the YACSA Review was tabled in Parliament on 19 November 1999.

### PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Reports, 1998-99—  
Adelaide Entertainment Centre  
Department of Education, Training and Employment—  
Children's Services  
ETSA Contributory and Non-Contributory Schemes  
Flinders University of South Australia—Report, 1998  
Regulations under the following Acts—  
Commonwealth Places (Mirror Tax Administration) Act  
1999—Modification of State Taxing Laws  
Electricity Act 1996—  
Administrative Costs  
General—Undergrounding of Powerlines  
Petroleum Products Regulation Act—Variation of  
Prescribed Rate  
Public Corporations Act 1993—  
ETSA Energy Corporation  
Land and Management Corporation Variation  
RESI Power Corporation  
Transmission Laser Corporation  
Southern State superannuation Act 1994—Prescription  
of Enterprise Agreement  
Superannuation Act 1988—Commutation  
Inquiry into the Cost of Record Keeping to Comply with  
the Petroleum subsidy Scheme—Report  
Ministerial Directions—  
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SA Generation Corporation  
RESI Corporation  
Electricity Supply Industry Planning Council—Charter  
Adelaide Casino Pty. Ltd.—  
Approved Licensing Agreement  
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Amendments (2)

By the Minister for Industry and Trade (Hon. R.I. Lucas)

Regulations under the following Act—  
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Reports, 1998-99—  
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Regulations under the following Acts—  
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tine Creeks  
Freedom of Information Act 1991—Exempt Agency—  
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- Legal Practitioners Act 1981—Variation—Records  
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 State Records Act 1997—Electricity Business  
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 Claims and Registration—Crown Agencies  
 Claims and Registration—Variations  
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 Disclosure of Information  
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 Review and Appeals  
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 30 September 1999  
 Dangerous Area Declarations—1 October 1999 to  
 31 December 1999  
 Road Block Establishment Authorisations—1 July  
 1999 to 30 September 1999  
 Road Block Establishment Authorisations—  
 1 October 1999 to 31 December 1999  
 Liquor Licensing Act 1997—Review of “Responsible  
 Persons” Exemption Provisions, section 97  
 Progress of State Agencies in the detection, prevention  
 and remedy of problems relating to year 2000  
 processing—Third Quarterly Report  
 By the Minister for Justice (Hon. K.T. Griffin)—  
 Regulations under the following Act—  
 Police Act 1998—Transfer to Higher Rank  
 By the Minister for Consumer Affairs (Hon. K.T.  
 Griffin)—  
 Regulations under the following Acts—  
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 Land Agents Act 1994—qualifications—Sales  
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 Aberfoyle Park  
 Adelaide  
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 Port Pirie  
 Plumbers, Gas Fitters and Electricians Act 1995—  
 State Employees Exemptions  
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 Exclusions from Application of Act  
 By the Minister for Transport and Urban Planning  
 (Hon. Diana Laidlaw)—  
 Reports, 1998-99—  
 National Environment Protection Council  
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 Regulations under the following Acts—  
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 Development Act 1993—  
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 Harbors and Navigation Act 1993—  
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 Local Government Act 1999—  
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 Members’ Allowances and Benefits  
 Local Government (Elections) Act 1999—Elections  
 Local Government Superannuation Board—  
 Amendment of Superannuation Scheme Rules  
 Motor Vehicles Act 1959—  
 Exemption from S.41(2)  
 Demerit Points  
 Native Vegetation Act 1991—Exemptions  
 Physiotherapists Act 1991—Qualifications  
 Road Traffic Act 1961—  
 Application of Regulations  
 Declaration of Hospitals  
 Mass and Loading Requirements  
 Miscellaneous Provisions  
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 Oversize or Overmass Vehicle Exemptions  
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 South Australian Co-operative and Community Hous-  
 ing—  
 General—Variation  
 Housing Associations—Variation  
 South Australian Housing Trust Act 1995—  
 General—Conditions of Tenancy  
 State Emergency Service Act 1987—  
 Registration of SES Unit  
 Tobacco Products Regulation Act 1997—  
 Sale to Children  
 By-laws—  
 Architects Act 1939—Variation  
 South Australian Health Commission—  
 Kingston Soldiers’ Memorial Hospital Incorporated  
 Naracoorte Health Service Incorporated  
 Rules—  
 Racing Act 1976—  
 Body Protector  
 On Course Betting  
 Barossa Council—Barossa (DC) and Mount Pleasant (DC)  
 Development Plan—Report on Interim Operation  
 Construction of a Training Centre for Juvenile Males and  
 Females at Cavan—Crown Development Report  
 Interim Operation of the City of Onkaparinga—Willunga  
 (DC) (Metropolitan)—Rural Lands Plan Amendment  
 Report  
 Road Traffic (Road Events) Amendment Act 1998—  
 Review  
 Southern Mallee District Council—Consolidation and  
 General Review Plan Amendment Report—Report on  
 Interim Operation  
 South Australian Housing Trust—Code of Practice.
- RIVERLINK**
- The Hon. R.I. LUCAS (Treasurer):** I seek leave to make  
 a ministerial statement on the subject of Riverlink.  
 Leave granted.
- The Hon. R.I. LUCAS:** On 19 March, the ABC Radio  
 National program Background Briefing broadcast a program  
 which purported to examine the complex issues concerning  
 the provision of additional capacity to the South Australian  
 electricity system, in particular the proposal to construct a

new interconnection with New South Wales known as Riverlink. I do not intend to deal in any great detail with the program itself, except to say that it provided an extremely disappointing and superficial analysis which seemed more concerned with inventing conspiracies than explaining facts.

However, I do want to respond to the allegations made during that program by Mr Danny Price, a consultant who was formerly employed by the London Economics company and who appears to be the chief architect of the conspiracy theories which characterised the program. It is important to know that Danny Price is not an independent commentator on these issues but has been, and continues to be, a paid lobbyist for the New South Wales Labor government on these issues. It is also worthwhile noting that Mr Price applied to the South Australian government in early 1998 to be its key economic adviser for the ETSA sale but was rejected by the South Australian government after we had considered his skills and past performance relative to other applicants. Danny Price's conspiracy theory rests on his claim—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** The Hon. Mr Holloway says we chose well. That's true: we didn't choose Mr Danny Price. Danny Price's conspiracy theory rests on his claim that the South Australian government had already made its decision to sell ETSA in December 1997 and to stop Riverlink and that, because the government was concerned about the impact of Riverlink on the value of its generators, the government directed Treasury officers to pressure Mr Price to change his report on Riverlink to better reflect the government's 'change of policy'.

As I shall explain, Danny Price's allegation is completely false and bizarre. It is a matter of public record that in 1997 the South Australian government supported the proposal, which was being jointly developed by ETSA and the New South Wales transmission company Transgrid, to build a regulated interconnector between the two states. However, in fact on 22 December 1997, just three days before Christmas, cabinet approved a submission, which I put forward, to give in principle approval to ETSA to proceed with the project subject to ETSA board approval, a satisfactory EIS and it being approved as a regulated asset.

This cabinet submission had been prepared by Treasury officials at the same time that London Economics was finalising its report. So, according to the Danny Price conspiracy theory, at the same time as the government was allegedly directing Treasury officers to change his report to oppose Riverlink, the South Australian government was actually giving cabinet approval to approve the Riverlink proposal as the next addition to power supply in South Australia. Consequently, it is simply both absurd and offensive to suggest that these officials would seek to influence the report in such a way that it was at odds with the policy which they knew the government was preparing to endorse.

As I have said in a number of recent interviews, given the strong disagreement we have had with many of Mr Price's strange views in the last 18 months, it would not have surprised me if some officers—ETSA or Treasury—had not disagreed with some of Mr Price's views in late 1997. A search of relevant files in 1997 has discovered a most interesting document. It is a memorandum dated 27 November 1997 from Mr Price's firm to a number of people, including ETSA and Treasury staff. The memo attaches a copy of its draft report (that is, London Economics' draft report) and specifically requests 'all critical comments'

about the draft to be forwarded to London Economics. I repeat: there was a memo from Mr Price's company on 27 November to a number of people, including ETSA and Treasury, specifically requesting all critical comments about the draft to be forwarded to London Economics. So, Mr Price's grand conspiracy theory about being pressured to alter his report was actually requested by Mr Price's own firm in that memo of 27 November—and I understand that there were some previous memos as well with previous drafts of the report.

I am informed that this request for comment was part of an iterative process which involved a broad group of organisations in New South Wales, South Australia and Victoria and, as a result, a wide range of comments were passed onto the authors of the report. A search of the relevant files has so far found no evidence of requests by Treasury for alterations along the lines suggested by Mr Price. However, there were, as you would expect, and as the authors requested, critical comments and some disagreement with aspects of the report. In the case of South Australia, there is record of comment on the report being provided by ETSA Corporation—not by Treasury, but by ETSA Corporation—which did include significant criticism of aspects of the draft.

It is true that London Economics took great exception to the comments forwarded by ETSA Corporation and wrote a letter of protest to a Treasury officer indicating that it could not agree to the changes suggested by ETSA. However, ETSA was, after all, a joint proponent of the project and so could hardly be accused of attempting to derail its own project which it wanted the South Australian government to support.

As well as this significant criticism from ETSA, significant criticism of the report's methodology as well as its findings was put forward by other groups—most notably the Victorian Power Exchange. Mr Price appears to have applied a peculiar type of retrospective logic to the events of December 1997 and confused them—and I say that kindly at this stage—with decisions taken some six months later.

As I have previously advised the council, having taken further advice from its new advisory team appointed in April 1998 and noted some major changes in the national market, especially in New South Wales, the South Australian government wrote to the National Electricity Market Management Company (NEMMCO) on 11 June 1998 requesting a delay in the decision on Riverlink to allow further consideration of those recent developments. However, despite our request NEMMCO decided to proceed, and on 15 June 1998—just four days later—NEMMCO, not the government of South Australia, issued a determination, based on its own extensive analysis, that Riverlink not be granted regulated status.

At the nub of these conspiracy theories is the claim that the government turned away from Riverlink in order to increase the value of the generation assets. But Mr Price and those who subscribe to his conspiracy theories (and we have some in this parliament) have to answer some basic questions. If they are correct, why would the government take the decision to restrict the market power of the South Australian Generation Corporation, then known as Optima, by disaggregation of the corporation into three separate generation businesses? And why would the government fast track the construction of a new private sector combined cycle gas-fired power plant with the potential to produce more than three times the planned capacity of the Riverlink line?

The impact of those two decisions has had a significant impact on the value of the generation assets as a whole and the value of the Torrens Island Power Station in particular. In fact, if the government's objective was to increase the value of the electricity assets, it could have continued to only support Riverlink, regardless of the impact on consumers and the likelihood of serious power shortages. By maintaining a Riverlink only strategy, the government would have increased the value of the transmission assets and also have been confident that continued power shortages would maintain or increase the value of the generators.

The Council needs to realise that the proposed Riverlink interconnector will have a capacity of only 250 megawatts. Allowing for the losses inherent in transmitting power over long distances this level of capacity is insufficient both to dramatically affect prices through the import of cheap energy or to ensure security of supply next summer, assuming that the line could have been built in time for that summer period, which, as events have demonstrated, is not the case.

Finally, if the conspiracy theories are correct then those who peddle them have to explain why the government has offered strong support to fast track Murray Link, the non-regulated interconnection project being promoted by the Trans Energie group. The government has also been prepared to provide support for other interconnection proposals, such as TransGrid's new proposal for a successor to Riverlink and ATCO's proposal to augment the existing interconnector as long as they are wholly privately funded.

It is quite clear that the government's record demonstrates that it is intent on developing a competitive electricity industry in South Australia and in the interests of the state it has taken a number of decisions which have significantly reduced the value of our generation assets. I repeat, that the South Australian government was not responsible for the decision which led to the Riverlink project being placed on hold.

The critical issue which the government sought to address was the need to ensure a secure and adequate supply of competitively priced electricity as the state moves towards the period of peak usage expected in the coming summer. It was clear to the government in June 1998 that, given the drawn out process involved in determining regulated status, the Riverlink proposal could not be guaranteed to be built and operational by that deadline. Events since then have proved our judgment to have been absolutely correct.

### PRISONER ESCAPES

**The Hon. K.T. GRIFFIN (Attorney-General):** I seek leave to table a ministerial statement made this day by the Minister for Police, Correctional Services and Emergency Services in another place on Mobilong and Adelaide Airport escapes.

Leave granted.

### JOINT COMMITTEE ON TRANSPORT SAFETY

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

That the Hon. A.J. Redford be substituted in the place of the Minister for Transport and Urban Planning, resigned, on the committee.

Motion carried.

## QUESTION TIME

### BUSES, PRIVATISATION

**The Hon. CAROLYN PICKLES:** I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the privatisation of Adelaide's bus services.

Leave granted.

**The Hon. CAROLYN PICKLES:** I refer the minister to her press release dated 27 January this year in which she stated:

The successful companies:

- will need 1 139 employees (currently 1 376) to perform the work; and
- have indicated that 93 per cent to 96 per cent of bus drivers will be offered full-time work (currently over 22 per cent of TransAdelaide drivers work part time).

My questions to the minister are:

1. To date, how many TransAdelaide workers have secured full-time employment with the private sector operators and how many part-time employment?
2. How many TransAdelaide employees will take packages as offered by the government?
3. How many workers are seeking to remain within the public sector as redeployees, and will the minister give details of what retraining opportunities they will be offered?

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I thank the honourable member for her question, which I had anticipated.

**The Hon. L.H. Davis:** You know you can count on the Labor Party on day one to introduce the element of surprise!

**The PRESIDENT:** Order!

**The Hon. DIANA LAIDLAW:** I meet regularly with the rail, tram and bus union (and did so again this morning) to discuss these same issues because, like the union and the work force, I and everyone else in this place want to ensure that, following the competitive tendering (not privatisation) of bus services, the new companies are able to operate with the full work force complement that they need from 23 April and that, in the meantime, the TransAdelaide work force is given every opportunity not only to apply but to gain rewarding work opportunities with the new companies. I do not have the figures for Serco, but before giving the other figures I should point out that the number changes every day as more job offers are made.

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

**The Hon. DIANA LAIDLAW:** No, I am not making anything up, because these are the figures that the companies have provided and, as the unions indicated to me today, with respect to Torrens Transit and ATE or South Link, as it is calling itself, they are very pleased with the opportunities that former TransAdelaide operators have gained through both applications and job offers. I advise that the number of full-time equivalents in the bid from Torrens Transit was 340 and that 350 offers have been made to date. The total number of acceptances is 261, all of which are full-time jobs. In terms of acceptance by TransAdelaide staff, 100 per cent of the operators are TransAdelaide drivers but, overall, because of maintenance and administration places, the full-time positions offered to TransAdelaide staff amount to 95 per cent.

In terms of South Link, or ATE, which is based at Lonsdale, the number of full-time equivalents in its bid was 150. To date, 140 offers have been made and the total number of acceptances is 131, of which 127 are full-time positions.



At this stage there are still 19 vacancies. With respect to the bus operators, 98 per cent are TransAdelaide operators, and, overall, 96 per cent of the positions have been filled by TransAdelaide employees because, in maintenance and administration, South Link has gained one or two people from outside TransAdelaide. A meeting is to be held this week between the Passenger Transport Board and my office to update the Serco figures. It won more work and has a number of contract areas. I was not able to get those figures in time for this anticipated question.

**The Hon. CAROLYN PICKLES:** I have a supplementary question. Will the minister bring the figures for Serco back to parliament the moment she receives them and will she answer the second and third parts of my question, namely, how many workers are taking packages as offered by the government, how many are seeking to remain within the public sector as redeployees, and what retraining opportunities will be offered?

**The Hon. DIANA LAIDLAW:** I thought I had answered those matters in the sense that there are still vacancies and that job offers are still being made. Until no more job offers are made and until the companies have their full work force complement, which I indicated they do not, I will not know how many TransAdelaide drivers and other workers will seek to take a package, how many will take a package and go on immediately to work with the new companies (which I think will be most) and how many will seek to remain within the public sector. In terms of the retraining opportunities, I can get that advice because it is available as part of the redeployment arrangements.

**The Hon. Carolyn Pickles:** You will bring the Serco figures back?

**The Hon. DIANA LAIDLAW:** Yes. I have no difficulties providing all the information that the honourable member wants. It is just that, in the time from my meeting this morning and with my other commitments in getting ready for parliament today, I did not have time to get all the information in respect of Serco. However, I thought the honourable member would have been pleased to receive the other information because it puts paid to scaremongering and sensation, which I suspect was the basis of the question.

### ELECTRICITY TRANSMISSION

**The Hon. P. HOLLOWAY:** I seek leave to make a brief explanation before asking the Treasurer a question about electricity interconnects.

Leave granted.

**The Hon. P. HOLLOWAY:** Late in February, with the power blackouts and shortages fresh in the mind of every South Australian and when South Australian businesses were counting losses amounting to tens of millions of dollars, certain claims were made by the former ETSA head and respected leader in the power industry, Mr Clive Armour. Mr Armour now heads ATCO, the operator of the Osborne co-generation plant. Mr Armour has confirmed that, in July last year, ATCO offered to build a 150 to 200 megawatt interconnect to augment existing capacity to import power from Victoria. He said that that would be at no cost to the taxpayer. On 25 February, Mr Armour was asked by a reporter during a media interview:

So no government money would have to come out of the proposal? The government would not have to put any money into it?

Mr Armour replied:

That was basically the proposal.

The Treasurer subsequently denied the claim that the ATCO proposal involved no cost to the taxpayer, and I note that in his statement today the Treasurer said that the government has been prepared to provide support for other interconnect proposals—and he included ATCO's proposal to augment the existing interconnector—as long as they are wholly privately funded. In view of those facts, my questions are:

1. Will the Treasurer confirm that the government's preferred source of extra power, the National Power power station at Pelican Point, involves a cost to the taxpayer of \$23.8 million?

2. Will the Treasurer confirm that the joint venture referred to in the ATCO proposal involved only in-kind support from the government? What was the extent of this in-kind support requested?

3. Will the Treasurer confirm that the ATCO proposal merely offered—but did not require—ElectraNet the option of purchasing up to 50 per cent equity in the line in a 'possible joint venture company'?

4. Will the Treasurer release all documents including correspondence relating to the ATCO interconnect proposal?

**The Hon. R.I. LUCAS (Treasurer):** There is a very simple answer to this claim by Mr Armour and ATCO. If the claims are true, why does he not go ahead, spend his own money and build it?

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** Why? Did Mr Holloway say that it is because I would not give him the development approval? It is a pretty simple question. The Hon. Mr Holloway is a touch embarrassed with the question that I have sent back to him because he has not thought through his question. It exposes the hypocrisy—

*The Hon. P. Holloway interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Holloway has asked his question.

**The Hon. R.I. LUCAS:** —of the Hon. Mr Holloway, Mr Foley and the Labor Party on this issue in relation to ATCO. It exposes their hypocrisy. We can hear the squawking from across the chamber now because they do not want me to answer the question. You asked it, so you should listen to the response.

*Members interjecting:*

**The Hon. R.I. LUCAS:** You asked it, you take your medicine. There is a simple question to which there is no reply from Kevin Foley, who is lucky that he is not in this chamber. However, the Hon. Mr Holloway gets trotted out to ask the questions and he has to listen to the replies. What I have been chasing Mr Foley about over the last two over three weeks as he has made exactly the same claims, if these claims are true, is, 'Go ahead; spend your money.' There is nothing the South Australian government can do to stop it. They do not need our approval; they do not need the approval of the South Australian government—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** If these claims are correct—

*The Hon. L.H. Davis interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** If these claims are correct—that is, they did not want any money from the South Australian government and it was all going to be privately funded—why were they asking for support? If they were going to spend \$50 million (or whatever amount of money—some tens of millions of dollars) why were they asking us for anything? There is no answer from the Hon. Mr Holloway. There is either a combination—

*The Hon. L.H. Davis interjecting:*

**The Hon. R.I. LUCAS:** Exactly; it is either stunned silence or this squawking that comes from the Hon. Mr Holloway and the Labor Party. There is a simple answer to the question: if you want to go ahead and spend your money, Mr Armour and ATCO, on the augmentation of the Victorian interconnect, terrific, go ahead; you have our support. If you are not asking us for money, go ahead and do it. If you want regulated asset status, you will have to go to national authorities: they are not decisions that the South Australian government has to take. The problem with the Hon. Mr Holloway and Mr Foley is that they do not understand the electricity industry or the national market: all they understand is any claim—

**The Hon. L.H. Davis:** It would help if he flicked the switch to 'on', wouldn't it?

**The Hon. R.I. LUCAS:** It would certainly help if the Hon. Mr Holloway would flick the switch to 'on'.

**The Hon. K.T. Griffin:** It's on dim at the moment!

**The Hon. R.I. LUCAS:** It's on dim, as the Attorney-General said. Certainly, one can say that about Kevin Foley as well. They do not understand the national market. If you want to peddle the conspiracy theories, then think through the consequences of your own questions. If they did not want money from the government, which is the claim that they are making and you are making now, then why on earth were they asking us for anything? They can spend their money, get the national approvals, add another wire to the Victorian interconnector and power can come across from Victoria. It is wholly within their responsibilities. The Hon. Mr Holloway, as he floundered for a reply to my question back to him as to what it was they were looking for from us, suggested that we were stopping development approvals for it. Mr Holloway was saying that we were stopping development approvals for it.

The Hon. Mr Holloway does not know what he is talking about: Mr Foley does not understand what he is talking about in relation to this issue, either. All I can suggest again to both gentlemen is that they go back to Mr Armour, and indeed anybody else, and put the question to him: 'If you were prepared to fund this completely, if you did not need any government money at all—and if we accept that position—then what is it that the government—

**The Hon. P. Holloway:** That's what I'm asking—in-kind support—

**The Hon. R.I. LUCAS:** What do you mean? What in-kind support?

**The Hon. P. Holloway:** Well, that's what I am asking you—

**The Hon. R.I. LUCAS:** No, I'm asking you. What in-kind support are you saying?

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** What in-kind support?

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** You don't know, because you don't understand.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** If you've read the submission, table it.

**The Hon. P. Holloway:** No, I haven't read it; you've read it.

**The Hon. R.I. LUCAS:** You said you've read the submission.

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

**The Hon. R.I. LUCAS:** The Hon. Mr Holloway does not understand what he is asking at the moment in relation to this issue. I can only suggest to the honourable gentleman that he go back to Mr Foley or to Mr Armour and find out what it is that the government allegedly did not do.

**The Hon. P. Holloway:** I'm asking you.

**The Hon. R.I. LUCAS:** I'm just saying to you, if you believe the story that is being put—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** No, if you believe that story, he can go ahead and spend his money; ATCO can go ahead and spend its money.

**The Hon. P. Holloway:** What in-kind support did they request? That was my question.

**The Hon. R.I. LUCAS:** I do not know what in-kind support they requested, if any.

**The Hon. P. Holloway:** Will you table the documents?

**The Hon. R.I. LUCAS:** I do not know what they requested.

**The PRESIDENT:** Order! The Hon. Mr Holloway can ask another question in a minute.

**The Hon. R.I. LUCAS:** Mr President, I read—and I do not have a copy of it with me now—during an interview on ABC Radio the exact text of a minute that went to ElectraNet. It is in the transcript of the interview that the honourable member has—or he has been given an excerpt of it. I read the exact copy of the ElectraNet minute. It was something along the lines (and I will check) that the management put the ATCO proposal to the board, which was for something up to 50 per cent equity in a joint venture, or something along those lines. I will get the exactly wording: I am going on memory at the moment.

I understand that, when there was the notion of the government not being prepared to put taxpayers' money into this proposal, Mr Armour and ATCO might have come back with other proposals that did not require taxpayers' money. My answer to that question is again the same as I said right from the outset: if ATCO does not want any money, it can go ahead. I am happy to bring back a further response.

I understand that there is correspondence which indicates that ATCO had been advised by ElectraNet—and I will check the exact detail of this—that it was prepared, as long as it was not having to put in money, to operate on a fee-for-service basis to do whatever things it needed to do to connect its interconnector to the Victorian interconnector; that is, there were certain things that ElectraNet might have to do as it would do with Boral and things like that, and the Hon. Mr Holloway is suggesting that we were not prepared to assist in any way. I will check with ElectraNet, because I understand that that is not true in relation to the claims that Mr Holloway is now making in this chamber that we were not prepared to assist either through fee-for-service or in-kind support, as long as we did not have to put taxpayers' money in—we were unprepared to assist along those lines.

As I understand it, Mr Holloway's claims, which he has made in this chamber today by way of his question and by interjection, are wrong, seriously mislead this chamber and endeavour to seriously mislead the community as well. I will be very happy to check the examples that I understand ElectraNet has indicated it has prepared in relation to fee-for-service and a variety of other offers that it had made.

The bottom line is that, if the Hon. Mr Holloway wants to believe this amongst some of the other conspiracy theories that people have been peddling around in the past two to three months, then he needs to ask the basic question of Mr

Armour: if the government does not have to put in any money, what are they bleating about? They can go ahead, spend their money and get the appropriate approvals at the national level if they want regulated asset status, because that is not something the South Australian government can influence: it is a decision to be taken by NEMMCO. If they want to be an unregulated interconnector, then there is an approach that they can adopt through the various bodies and agencies.

The final point I make is that the Hon. Mr Holloway referred to the problems in South Australia in early February. The inference from his question is that in some way the ATCO proposal might have assisted us. I remind the Hon. Mr Holloway to go back and do a bit of research. The problem we had in February was that a strike in Victoria at Yallourn meant we were not getting power, or enough power, across the Victorian interconnector. So adding extra capacity to the Victorian interconnector when there is no power coming from Victoria does not actually—

*Members interjecting:*

**The PRESIDENT:** Order! Members will cease interjecting.

**The Hon. R.I. LUCAS:** Mr President, I am not sure whether the Hon. Mr Holloway said 'Bracks' or 'bracket'.

**The Hon. P. Holloway:** I said I thought it was an aluminium bracket.

**The Hon. R.I. LUCAS:** The Hon. Mr Holloway is three months behind the times. The problems in February had nothing to do with an aluminium bracket; that was on 2 December. I suggest to the Hon. Mr Holloway that, before he gets this stuff trotted up to him to ask questions, he actually check. The problem we had in February is that we had a 500 megawatt interconnector which was working perfectly well if only the unions in Victoria and what they had caused had allowed the power to come across the interconnector. Adding another 200 or 100 megawatts to that interconnector would not have helped us at all. It is a pretty simple statement of fact which I suggest the Hon. Mr Holloway—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** Obviously not simple enough for the Hon. Mr Holloway. It does not matter whether you have a 600 or 700 megawatt interconnector if the unions in Yallourn are on strike and are not sending power across a 500 megawatt interconnector—

*The Hon. P. Holloway interjecting:*

**The PRESIDENT:** Order! I do not think the Treasurer needs help with his answer.

**The Hon. R.I. LUCAS:** There is no magic solution, if it is 600 or 700 megawatts, if all of a sudden the unions are going to send power across the Victorian interconnector. The inference in the honourable member's question—and clearly he has made an error, because he is referring to a bracket break, which was back in December—really demonstrates—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** If I can demonstrate the ignorance of the shadow minister for finance, and through him the shadow Treasurer of South Australia, I am doing a great service to the people of South Australia. Heaven forbid if Mr Foley and the Hon. Mr Holloway should be let anywhere near our electricity industry and the national electricity market if that is their understanding of the national market.

## AUSPINE

**The Hon. T.G. ROBERTS:** I seek leave to give a brief explanation prior to asking the new Minister for Workplace Relations a question about the deadlock at Auspine.

Leave granted.

**The Hon. T.G. ROBERTS:** From time to time, I report to the Council and ask questions of the government regarding strikes which look as though they will run for an extraordinarily long time or become extremely bitter. At the moment, this dispute in the timber industry in the regional area of Mount Gambier appears to be heading that way. A report by Chris Oldfield, an intrepid industrial reporter for the *Border Watch*, indicates that the industrial deadlock between Auspine and the nation's timber union intensified yesterday resulting in several union heavyweights being called to the region. The police—

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

**The Hon. T.G. ROBERTS:** They were called to the region. They are not resident organisers. The police were also called to remove an organiser from the Auspine site. Apparently, the situation became very unsettled.

As the honourable member interjected, the CEO of the company, Adrian DeBruin, has a long history in the management of timber operations in the South-East. However, I understand that junior management under the CEO are handling the dispute. At the moment, it appears that some of the tactics or strategies that are being used by the company to restructure their industrial relations program for that site around enterprise bargaining forms part of the aggravation that is leading to the dispute. I am not sure if the minister is familiar with this current dispute, but my questions are:

1. Does the minister approve of the industrial relations methods that are being used by Auspine to bring about settlement of the stand-off at the Auspine Tarpeena mill to allow a peaceful return to work with negotiations to continue?

2. Does the minister believe that the methods used are inappropriate behaviour for a company which won the 1998 and 1999 Employer of the Year awards in this state?

**The Hon. R.D. LAWSON (Minister for Disability Services):** I am not familiar with the details of the dispute to which the honourable member refers. I will obtain information and bring back a more detailed reply. I am not sure whether the Auspine workers are covered by a state or a federal award nor am I aware of whether the Industrial Relations Commission has become involved in this dispute. As I say, I will obtain further information. Until I do so and bring back a formal reply I am unable to say whether the government approves of the methods adopted by Auspine in relation to this matter or, indeed, the methods adopted by the unions.

## GOVERNMENT CONTRACTS

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Treasurer a question about the publication of government contracts.

Leave granted.

**The Hon. M.J. ELLIOTT:** I do not know whether the Treasurer is aware, but on Thursday last week (23 March) the Western Australian Ministry of Justice published on the internet details of contracts signed with a private company to operate a new prison. Attorney-General Peter Foss said that, although such contracts traditionally had been regarded as

highly confidential, he could see no reason for continued secrecy.

The published documents include details of the operational aspects of Acacia Prison, which is under construction and court custody, security and prisoner transport contracts signed with private company, Corrections Corporation of Australia. However, security arrangements would not be made public. So, it was a very small section of the total contract not published.

In the light of Western Australia's enlightened attitude to these matters and significant public concern about secrecy over contracts, what is the government's current position regarding the publication of contracts—at the very least, the publication of contracts that are signed in the future—and is he prepared to follow the lead of the Western Australian Government?

**The Hon. R.I. LUCAS (Treasurer):** I am not familiar with the announcement on the web from Western Australia last week. I will need to take some advice on that matter. I am interested to hear that the honourable member sees the Western Australian Government as enlightened. Having heard that unqualified recommendation from the honourable member about the Western Australian Liberal Government, I will read the report with great interest and bring back a reply.

#### TRANSGRID

**The Hon. CAROLINE SCHAEFER:** I seek leave to make a brief explanation before asking the Treasurer a question about Transgrid.

Leave granted.

**The Hon. CAROLINE SCHAEFER:** Together with Senator Jeannie Ferris I recently attended a number of consultations with women in rural South Australia. Last week, we visited Renmark. An issue causing immense concern in the Riverland is the proposed route to be taken by Transgrid if it is successful in its bid to provide an electricity interconnector to South Australia.

As I understand it, the original proposed route was to go directly from Borunga to Robertstown through mainly pastoral country and it did not need to cross the river. However, due to an objection from Bookmark Biosphere, Transgrid now proposes a southern route which, by its own admission, will require two river crossings and will detrimentally affect between 200 and 250 farming and fruit growing property owners. One does not need a big dose of common-sense to realise that a centre pivot irrigation system could not operate in a paddock with huge powerline constructions in it. One farmer alone has said that he will lose 680 acres of potato production, and I am told that there are many others in similar circumstances.

On the other hand, Bookmark Biosphere controls between 8 000 and 9 000 hectares of mallee, only a very small proportion of which would be affected by the northern route. However, I understand that, without exception, the preferred option of the people in the Riverland is Murray Link or TransEnergie, the Victorian company, which proposes a completely underground system and, as I understand it, no river crossing. My questions are:

1. What, if any, influence does the government have on which company will provide the interconnector to South Australia?

2. What, if any, influence does the government have on which route will be chosen for the new interconnector?

3. What control does the government have over planning matters to do with any new interconnector?

4. If the southern route proposed by Transgrid becomes the chosen interconnector route, what effect will this have on the state food plan which is to treble the value of food to this state by 2010?

**The Hon. R.I. LUCAS (Treasurer):** I thank the honourable member, because this is a most important question which is starting to engender a lot of local interest in the Riverland as this proposal from Transgrid progresses. I will respond to the fourth question first regarding the potential impact on the food plan. Obviously, I will need to take advice from the department on this matter. I will do so and bring back a reply.

The honourable member's questions bring into stark realisation some of the concerns that the government has been expressing for some time about the Transgrid-Riverlink proposal. The problem is that in South Australia we have a group that I call the interconnector groupies, which consists of the Hon. Mr Xenophon, Mr Foley, the Hon. Mr Holloway, others within the Labor Party and Danny Price. These people constitute the interconnector groupies or the Riverlink—

**The Hon. L.H. Davis:** Danny Price disciples.

**The Hon. R.I. LUCAS:** Danny Price disciples. There are close links between Danny Price and the Hon. Mr Xenophon to which we have referred before. Later in this parliamentary session, time may well—

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Not unless there is something improper or illegal. I have not suggested anything—I just said a very close link. I am not sure what the Hon. Mr Roberts is suggesting.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** All I said was that there was a close link.

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** There is a very close link, and we may well be able to deal with that issue when we debate other issues later in this session. As a matter of public interest, it is important that we explore the linkages amongst the interconnector groupies in South Australia. We should explore their motivation and their linkages, as well as some of the activities that this group of individuals has been undertaking over the past 18 months and over the past few months in particular. As I said, a lot of politics has been entered into by Mr Price, Mr Xenophon, Kevin Foley and the New South Wales Labor Administration. However, the stark reality of the Riverlink proposal is demonstrated by the honourable member's question that in many other cases—and Basslink is a perfect case in point—major interconnector proposals and the people affected really do not have a choice. In most cases, it involves only one company, and that happens to involve a transmission line which is above ground and which necessarily has to go through the planning and development processes, and that will impact on people. Whether they happen to be potato growers or in the Basslink case through Victoria—and I do not think they are potato growers—a number of farming communities oppose that connector.

Ultimately, for those of us who support interconnection, some of those problems will have to be resolved because, if we need the power, we must have the interconnection. However, in this case, we are particularly blessed. We have a choice; we have an option. We have an unsubsidised, underground interconnector which has been recommended to be wholly private sector funded, and Dr Tony Cook,

the CEO of that company, says that it will be up and going by the first quarter of next year—in less than 12 months.

**The Hon. Caroline Schaefer:** Why would we want anything else?

**The Hon. R.I. LUCAS:** That is, indeed, the question that the government has been trying to put to the interconnector groupies—the supporters and apologists for the New South Wales Labor government, such as the Hon. Mr Xenophon and the Hon. Holloway—

**An honourable member:** And Foley.

**The Hon. R.I. LUCAS:** —and Mr Foley. In the light of that, when something is supported by the property owners, the greenies, the conservation groups and the local councils in the Riverland why do the Hon. Mr Xenophon, Mr Foley and the Hon. Mr Holloway continue to work with Mr Price to try to get up this New South Wales Labor government proposal? It is a very good question, and the only people who can answer it are the Hons. Mr Xenophon and Mr Holloway, and Mr Foley. Why are they apologists for the New South Wales Labor government in relation to this matter? Why have they undertaken—

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Let's be fair; I have no evidence of their having done anything improper, and I am not suggesting that. I make that clear. I have no evidence of that, and I am not suggesting it. I am saying that, for the life of me, I cannot understand, in the light of all that evidence, as the Hon. Carolyn Schaefer has indicated, and the significant local opposition towards this, they continue to do all they can—covertly and overtly—to support Mr Price and the New South Wales Labor government in the Riverlink proposal. If they really want to support interconnection, I would have thought they would be jumping over the moon at an underground, unsubsidised, private sector funded—

**The Hon. L.H. Davis:** Environmentally friendly.

**The Hon. R.I. LUCAS:** —environmentally friendly interconnector with the eastern states. If they are not supporting that, there has to be another reason. For the life of me, I cannot understand why they continue to be apologists for the New South Wales Labor government on this issue. I know why the New South Wales Labor government wants it—because it will assist it in the value of its assets when it comes to privatise, whenever that might be. I know what Michael Egan, Bob Carr and the New South Wales senior Labor government advisers want—they want to privatise and they want to maximise the value of their assets. Why would South Australian politicians want to assist the New South Wales Labor government—or any government; even Liberal, for that matter—in its prospects for the future.

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

**The Hon. R.I. LUCAS:** That is a very good point from the Hon. Mr Redford—any government in New South Wales. As I said, for the life of me, I do not understand the approach of members opposite because, as the Hon. Carolyn Schaefer has indicated, we have the rare opportunity here of being able to choose an interconnector. That does not occur with a lot of interconnection proposals. Sadly, we must have the power, and therefore some property owners do have to put up with either the inconvenience or ultimately the compulsory acquisition of rights of way in terms of easements and access. That is a sad fact of life.

Why would people like the Hon. Mr Xenophon and others in the interconnector groupie set want to support an option such as that, when there would appear to be a viable alternative in Murraylink, proposed by TransEnergie. Again, that is

a proposal not from a group that has never done it before, because it has just built an unsubsidised, underground, environmentally-friendly interconnection between New South Wales and Queensland. It is already substantially under way. It is to be completed almost by the end of this year or some time this year. This is not a group talking about fly by night schemes or about options for the future.

**The Hon. Diana Laidlaw:** A proven operator.

**The Hon. R.I. LUCAS:** As the Hon. Diana Laidlaw says, it is a proven operator and it is already doing it; it is connecting New South Wales and Queensland. Why would we not do what we could to support it rather than do what the interconnector groupie set has been doing—doing all it can to support the New South Wales government's proposals? That is the question for the Hon. Mr Xenophon, the Hon. Mr Holloway, Kevin Foley, Mike Rann and others. They must be honest with the South Australian community and with this parliament and indicate the real reasons why they support the New South Wales government on this issue.

**The Hon. P. HOLLOWAY:** I have a supplementary question. Given the Treasurer's enthusiasm, can he offer any solution to business and consumers in this state who are paying twice as much for electricity than those in the eastern states, and when can they expect some relief?

**The Hon. R.I. LUCAS:** Absolutely. The government's proposal was, first, to disaggregate and provide competition in the generation sector. The second point was to fast track a major new generator in South Australia at Pelican Point, and I might say that that was opposed by Kevin Foley, Mike Rann and the Labor Party. Not only have they been trying to support the New South Wales Labor government Riverlink proposal but also they have been doing all they can to undermine the Pelican Point proposal, which is the only viable proposal that South Australia has to have power on-line by next summer. I know one of the reasons why: they would be delighted not to have Pelican Point or Riverlink, because there would be blackouts and brownouts next summer.

I suspect that that is part of the reason the Hon. Mr Holloway and Mr Foley have been supporting Riverlink—because they know that the delays in Riverlink may well mean that it will never be built before the next election. Further, they will try to do everything they can to stop the Pelican Point power proposal from going ahead.

That is the second point—500 megawatts planning capacity going up to 800 megawatts. Boral or ORIGIN Energy has now put in 80 megawatts of additional capacity or is in the process: it has already put in 40 and is putting in another 40 megawatts in the South-East at Ladbroke Grove. Murray Link, in the first quarter of next year, will hopefully be up and going in accordance with Dr Tony Cook's predictions. If Mr Armour wants to go ahead with augmenting the Victorian interconnector with his own money, that is fantastic. He can go ahead. I would welcome Clive and his \$50 million through the appropriate doors: he can go ahead and do that with the Victorian interconnector. There are also one or two other proposals in relation to future generation prospects.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Nobody, not even the Hon. Mr Holloway, even in his most foolish incarnation, will ever be able to guarantee the electricity prices. What we can say is that we are doing all we can on this side of the fence, on this side of the chamber, to put in an environment which will bring down electricity prices.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** The Hon. Mr Holloway's solution is, 'We'll support Riverlink. We'll oppose Pelican Point and do everything we can to stop it.' And he will do everything he can to stand in the way of Murraylink. That is the sort of—

*An honourable member interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Holloway has asked four or five questions. He should listen to the answer.

**The Hon. R.I. LUCAS:** The Hon. Mr Holloway is again indicating his blind opposition to the Pelican Point power project—

*Members interjecting:*

**The Hon. R.I. LUCAS:** Because we need the power by next summer. The Hon. Mr Holloway is not interested in that.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Because it would not be ready by next summer. That is one of the reasons, but there are a number of others. The Hon. Mr Holloway has obviously a political interest in ensuring that we do not have the power station up and running by next summer. He would be delighted, in the summer or the second last summer leading into the March 2002 election, to see blackouts in South Australia. Politically he is prepared to put the interests of his own political party ahead of the interests of the South Australian community. This government is not prepared to do that.

**The Hon. NICK XENOPHON:** I wish to ask a supplementary question. Has the government undertaken or commissioned an economic analysis of the differential impact on electricity prices for consumers in South Australia of a regulated versus unregulated interconnector with New South Wales and, if so, will it release any such study?

**The Hon. R.I. LUCAS:** We have had a lot of advice from our economic advisers, PHB, on that issue and on related issues, some of which was actually shared with the Hon. Mr Xenophon in various discussions over the last 18 months—but not all of it, I might add. One of our problems was that most of the stuff we provided to the Hon. Mr Xenophon, even including personal notes from me to the Hon. Mr Xenophon, were faxed immediately to Danny Price for his commentary. I did not mind our advice going to him but, when my personal hand written notes to the Hon. Mr Xenophon were faxed off to Danny Price, I thought that was a touch beyond what I would have thought was a reasonable approach from the Hon. Mr Xenophon.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** There is a very close link between the Hon. Mr Xenophon and Danny Price and I do not know what it is. I would be delighted to hear at some stage what it is but, when personal notes from me to the Hon. Mr Xenophon get faxed to Danny Price, I really do not think that is the way to be conducting discussion. I am happy to get—

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** There is no particular one report. There is a whole variety of advice that we have had. I am happy to get some advice in relation to the issues of regulated and unregulated interconnectors. There was an interconnector conference in Sydney this week at which Danny Price and a variety of others have been speaking on the whole economic question of regulated and unregulated, or non-regulated, interconnectors, and I would be happy to get a package of information for the honourable member. I will not put a

personal cover note on it for the honourable member. I will just give him the information and he can fax it off immediately to Danny Price for his commentary.

*An honourable member interjecting:*

**The Hon. R.I. LUCAS:** Perhaps I could send it direct to Danny Price with a copy for the Hon. Mr Xenophon.

## GENETICALLY MODIFIED FOOD

**The Hon. T. CROTHERS:** I seek leave to make a precised statement prior to directing to the Treasurer and the Leader of the Government in this Council a question on the subject of genetically modified crops.

Leave granted.

**The Hon. T. CROTHERS:** My question arises from an article which appeared in the *Sunday Mail* of 26 March this year. The article reports that a multinational company, Aventis, which was secretly growing genetically modified canola crops on farmland south of Mount Gambier, dumped the crop at an open tip site even though there are guidelines for such experimental material requiring dumped plants to be buried under a metre of soil within 24 hours of being harvested. My questions to the minister are:

1. What bodies, if any, are currently in place to monitor the actions of such companies growing genetically modified crops, to ensure that proper guidelines are observed and to guarantee improper actions as outlined above do not again occur?
  2. What precautionary measures, if indeed any, are enforced to be undertaken by companies which choose to grow genetically modified crops, so as to minimise the risk of cross-pollination with non-GM crops?
  3. Where are such crops, by law, dumped when harvested?
  4. As the laws on these matters, if they exist at all, are paper thin, will the government consider setting up a select committee to review the whole of these matters?
  5. Will the leader endeavour to ensure that this is passed on to the Deputy Premier in another place, with a view to ensuring that these subject matters are discussed when next the state and federal ministers of agriculture meet?
- The Hon. R.I. LUCAS (Treasurer):** I thank the honourable member for his question. There is indeed a lot of public interest in the topic that the honourable member has raised. I will certainly raise the issues with the Deputy Premier and bring back a reply.

## EMERGENCY SERVICES LEVY

In reply to **Hon. IAN GILFILLAN** (19 October 1999).

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

The budget allocations from the Community Emergency Services Fund to the Ambulance service for emergency service purposes have been made for the 1999-2000 year.

The allocation of funds from the Emergency Services Levy will occur every year in line with the statutory requirements of the Emergency Services Funding Act 1998. Section 10(4)(b) of that Act requires the Minister to determine, for a particular financial year, the amounts to be expended for various emergency service purposes. This determination needs to be provided to the Economic and Finance Committee of Parliament prior to it being considered by the Governor.

There are no plans to extend the application of levy funding to other services provided by the SA Ambulance Service (SAAS), regardless of any shortfall. Indeed under the Emergency Services Funding Act 1998, such a proposition is not possible. The SAAS may only receive allocations from the Community Emergency

Services Fund for services that are directly related to the services of the kind provided by the Country Fire Service, SA Metropolitan Fire Service, State Emergency Service, Surf Life Saving SA, Volunteer Marine Rescue or allied Police services. This amounted to \$744 000 in 1999-2000.

### DRUGS

In reply to **Hon. M.J. ELLIOTT** (20 October 1999).

**The Hon. K.T. GRIFFIN:** The Minister for Human Services has provided the following information:

The 1999-00 State Budget included additional funding for a range of new initiatives relating to drug treatment and diversion programs in the current year (1999-00) and next year (2000-01, recurrent).

These initiatives include:

- evaluation and expansion of the Drug Assessment and Aid Panel (DAAP)—\$150 000 in current year and \$140 000 recurrent from 2000-01;
- increased treatment services for those people referred by DAAP—\$300 000 in current year and \$500 000 recurrent from 2000-01;
- expanded specialist treatment services for voluntary clients—\$120 000 in current year and \$450 000 in 2000-01;
- a two year trial of a specialised drug court, including an Aboriginal specific program—\$700 000 in current year and \$1.53 million in 2000-01.

With regard to DAAP, implementation has already commenced and the increased panel sessions have already had the effect of significantly reducing the waiting list for this service. It is anticipated the backlog of clients waiting for assessment will be cleared by December 1999. Tenders have been called to undertake the evaluation of DAAP and the tender process should be completed shortly.

Treatment services for people referred by DAAP will be strengthened and expanded. The Maintenance Pharmacotherapies Unit (including the SA Methadone Program) will expand the number of treatment places available and access to counselling services, offering alternative maintenance pharmacotherapies as they become available. Additional clinical staff will be employed to fulfil these objectives.

Plans to expand specialist treatment services for voluntary clients focus on strengthening community based services for the various population groups with the initial focus most likely being on the SE Asian and Aboriginal communities.

Funding for assessment and treatment services has also been made available to SA through the Council of Australian Governments' police diversion initiative. While most of this funding is intended for assessment and treatment of people referred from police diversion schemes, there will also be benefits for voluntary drug treatment services as these services are essentially the same as those for diversion clients.

The Department of Human Services chairs an intersectoral committee (the Chief Executives Coordinating Committee on Drugs) that has a brief to oversee the implementation and monitoring of new initiatives in relation to drugs. This Committee is in the process of developing a State Drug Strategy across the portfolios of Human Services, Justice, Education and Aboriginal Affairs.

### DRIVING OFFENCES

In reply to **Hon. IAN GILFILLAN** (20 October 1999).

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

Penalties for driving offences are set by Transport SA, which comes within the responsibilities of the Hon Minister for Transport. Initially the fine for obscuring a vehicle's registration plate was set at the same level as the highest speeding fine, to deter motorists from deliberately obscuring their registration plates.

Obscuring a vehicle's registration plate is viewed by police as a serious offence. The registration number is a vehicle's primary identifying point, enabling the prompt identification of vehicles used for the purpose of unlawful activities.

Police officers have discretionary powers which enable them to caution a driver under certain circumstances. These discretionary powers have been exercised in the case in point of Mrs Gorton, whose husband, by oversight, left a towball on their vehicle. The infringement notice was withdrawn and a caution issued by the SAPOL Expiation Notice Branch.

### EMERGENCY SERVICES LEVY

In reply to **Hon. J.F. STEFANI** (27 October 1999).

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

1. Now that promulgation of the appropriate regulations has occurred, it is anticipated the processing of cheques to refund overpayments will start as soon as practicable.

2. The conveyancing industry is being consulted as to the most expedient method of apportioning the levy. When a decision has been reached, which is expected to be shortly, I will be able to advise the refund process that will be adopted.

3. Section 21(2) of the Emergency Services Funding Act, 1998 allows an adjustment to be made to the levy payable if an objection, review or appeal results in the alteration of a valuation or a decision to attribute a different land use to land. Section 21(2)(a) provides for the refund of any overpayment following a successful objection, review or appeal, and section 21(2)(c) provides for interest to be payable on an amount to be refunded in these circumstances. Section 21(2)(c) does not apply to ex gratia payments resulting from remissions.

There is no provision in the Act to legally remit interest on amounts to be refunded as a result of the remissions. Even if that were possible, the amount would be negligible, for example, the median residential Capital Value in the Greater Adelaide area is \$110 000. The remissions result in a refund of \$35 on this Capital Value for the 1999-2000 financial year. At the current regulated interest rate applicable to overpaid amounts (on successful objections, reviews or appeals) of 4.8 per cent, the annual interest would be \$1.68. The maximum time that remissions have been held pending repayment is approximately four months, or one third of the year. This reduces the interest on the refund to 56 cents.

### AMBULANCE SERVICE

In reply to **Hon. IAN GILFILLAN** (10 November 1999).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has been advised by the SA Ambulance Service (SAAS) of the following response:

1. The funding of the CFS volunteers for protective clothing can not be commented on by SAAS. Unlike the CFS, SAAS volunteers are not funded through the Emergency Services Levy. Funding for SAAS volunteers is from the SAAS budget. Funds dedicated for the purchase and supply of uniforms is consistent with the expenditure from the previous year.

2. Contrary to the belief expressed in the letter, SAAS volunteers are not discriminated against in the issuing of personal equipment. They have equal access to uniform, personal protection equipment and other means of support as other career Ambulance Officers and Paramedics. For Volunteer Ambulance Officers, these however are set at numbers consistent with their caseload and exposure to shift cover.

For instance, the total number of ambulance transfers at Lock totalled 18. In this case, Volunteer Ambulance Officers only require a basic quota of uniforms as opposed to Volunteer Ambulance Officers at Goolwa, where the workload is considerably higher, having transported some 580 patients. In this instance, Volunteer Ambulance Officers would be issued above the quota of uniforms. Volunteer Ambulance Officers may choose to be based at the station for the duration of their shift. The local Clinical Team Leader provides authorisation for this issue, having appraised the request upon merit.

The brochure (SA Ambulance Service Volunteer – Satisfaction Guaranteed) states that Volunteers will be provided with a number of resources, including training, personal equipment, Ambulance Cover, skills to manage medical emergencies. SAAS is confident that these have been appropriately and effectively distributed to all SAAS Volunteers.

3. In 1998, SAAS undertook initiatives to improve volunteer recruitment and retention. This direction involved providing a recruiting consultancy to volunteer branches which, encouraged, supported and evaluated local initiatives, in order to gain a better understanding of successful recruitment and retention.

The initiatives of the Volunteer Recruitment and Retention Program have achieved significant results with some 300 volunteer recruits (an equivalent of a year's normal intake, as at June 1999) now in training, awaiting active deployment to ambulance duties. During the 1998-99 financial year, volunteer numbers increased significantly, reversing trends previously seen. The success of this

program, while not universal across all regions, has achieved significant results.

Although, the issue of the potential impact of the Emergency Services Levy upon SAAS Volunteers has not been widely discussed, SAAS does not foresee any adverse effect upon volunteer retention rates. With a strong government focus on public support to recognition and reward for volunteer efforts, highlighting particularly the role of volunteers in the provision of rural services the issue of the levy should remain separate from the issue recruitment.

#### POLICE RESPONSE TIME

In reply to **Hon. T. CROTHERS** (16 November 1999).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has advised that he made a Media Release on Wednesday 17 November 1999, addressing the community concerns over South Australian Police response times from the number 11444.

These concerns have been raised with the Police Commissioner.

The Commissioner acknowledged there are some issues in some instances with South Australian Police response times, and assured the Minister the problem is currently being addressed as part of a Police communications review.

The Minister for Police acknowledged that one Police dispatching mistake is one too many. However, with the Police being dispatched to over 300 000 incidents per year he supports the good work the Police in South Australia are doing.

#### EMERGENCY SERVICES LEVY

In reply to **Hon. IAN GILFILLAN** (16 November 1999).

**The Hon. K.T. GRIFFIN:** The Minister for Police, Correctional Services and Emergency Services has provided the following response:

The honourable member has sought clarification of the meaning of a sentence within the application form for contiguous farming land under the Emergency Services Levy.

This sentence refers to land parcels which are separated by intervening land, (road, lane, street, footway, court, railway, thoroughfare, travelling stock route or a reserve or other similar open space dedicated for public purposes).

The sentence is taken from Section 3(3) of the Emergency Services Funding Act (1998) and provides a mathematical method by which contiguity may be applied.

It means that two properties will be considered contiguous if you can draw a straight line, from the boundary of one property to the boundary of another property AND that line is at right angles to the boundary of one of the properties. This line must only pass through intervening land (as defined above) and not through someone else's property.

#### CORONER'S OFFICE

In reply to **Hon. NICK XENOPHON** (16 November 1999).

**The Hon. K.T. GRIFFIN:** I have been advised by the State Coroner of the following response:

1. The Monash University National Centre for Coronial Information (MUNCCI) has developed the South Australian Case Management System to allow for data entry which is consistent with data required for the National Coroners Information System (NCIS).

The NCIS is a national database which, when fully implemented, will offer data entry and retrieval of coronial data for all coronial jurisdictions in Australia.

The State Coroners Office went "on-line" with the Case Management System on 2 August 1999 with the Attorney-Generals Office providing funds of \$115 000 for the purchase of the required software and for one full time equivalent position for a three year period for data entry, coding and quality assurance tasks.

2. MUNCCI intend to develop a special suicide data module as part of the NCIS with work on establishing the feasibility and scope of the special module planned for the first half of next year. Any changes to the NCIS database involve consultation with all State Coroners, and with regard to a special suicide module the process would also include other relevant organisations.

3. The provisions of the Coroners Act 1975 require the Coroner to issue a Finding as to the cause of death in each case that is reported to him. This Finding refers only to the medical cause of death and is what appears on the death certificate.

The underlying factors which may lead to a death amount to the 'circumstances of death'. Pursuant to section 12 of the Act, the

Coroner may only make a finding as to the circumstances of death after an inquest has been conducted.

At present, inquests are conducted in only a small proportion of the 3 500 (on average) deaths reported each year. In addition, investigations do not always reveal any single factor which may have led the individual to commit suicide. Another factor to be considered is that there is a common-law presumption against suicide which can only be rebutted by clear evidence of intent.

Therefore, whilst the State Coroners Office is participating in the development of the NCIS, it is doubtful that the system will be able to pin-point factors such as gambling which may have led to a death. Any such conclusion would require much more intensive analysis, a process which has been described as a 'psychiatric autopsy'. NCIS will assist in this process to the extent that it will pin-point particular cases which can be subjected to such further analysis if necessary.

For this reason, whilst statistics are available as to the number of self-inflicted deaths which have occurred since 1990, and the mechanisms used, there is no information available which would indicate how many of those deaths have been influenced by gambling or gambling losses.

#### FUNERAL INDUSTRY

In reply to **Hon. CARMEL ZOLLO** (19 November 1999).

**The Hon. K.T. GRIFFIN:** I have been advised by the Acting Commissioner for Consumer Affairs that in the last ten years, the Office of Consumer and Business Affairs has only received complaints about three funeral directors. Other than the business referred to by the honourable member, the other two complaints involved a funeral director who misappropriated pre-paid funeral monies, and a funeral director who abandoned his small business when suffering from family and health problems. Both these matters were resolved with minimal inconvenience to consumers.

Funeral directors are subject to the same laws that apply to other traders who provide a service to the public. In this respect, consumer protection legislation including the Trade Practices Act 1974, Fair Trading Act 1987, and Misrepresentation Act 1972 would apply.

In addition to the legislation of general application, funeral directors have specific obligations under the Births, Deaths and Marriages Registration Act 1996 and Fair Trading (Pre-paid Funerals Code of Practice) Regulations 1996. Funeral directors should also be aware of relevant obligations under the Coroners Act 1975 and the Cremation Act 1891.

Legislation also applies in respect of cemeteries under the Local Government Act, and health laws and local government laws apply to funeral homes.

Given the small number of complaints regarding the delivery of funeral services and the legislation applicable to those in the industry, there has been no demonstrated need for additional legislation to be specifically applicable to funeral directors. The existing legislation referred to already provides an appropriate level of accountability on the part of funeral directors to relevant Government authorities, and recourse for any aggrieved consumer.

Furthermore, voluntary associations of funeral directors do provide a level of control over members, imposing strict eligibility criteria and requiring the maintenance of high service standards. Examples of such associations include the Australian Funeral Directors Association and the Association of Australian-Owned Funeral Directors Ltd.

Given all this, I do not believe there is any need to subject the funeral industry to a specific licensing or registration regime.

#### HINDMARSH SOCCER STADIUM

In reply to **Hon. CAROLYN PICKLES** (23 November 1999).

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

The Anti-Corruption Branch have not been asked to investigate the theft because the Governor's Directions to the Anti-Corruption Branch preclude it from investigating offences of this type. Officers from the Investigations Section, Adelaide Local Service Area, are investigating the matter as a larceny offence.

The rear left side window of the vehicle had been manipulated to by-pass the lock. The rubber surrounding on the window had been displaced. The vehicle was fitted with an alarm in working condition. If the alarm was activated, it was not brought to the notice of any person. Recent contact with the Hon Joan Hall's office revealed that a full inventory of the property stolen is still being compiled. As at



13 December 1999, the property stolen from the vehicle and subsequently recovered consists of four bags/cases containing documents and a handbag.

### POLICE UNIFORMS

In reply to **Hon. T.G. CAMERON** (23 November 1999).

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

South Australia Police are very aware of the difficulties delays in the supply of items of uniform are creating for police personnel and is working with its private sector contractor to correct the situation.

I am also advised that with regard to the police uniform, a complete review of items comprising the police uniform was completed early this year. A more coordinated and managed approach to the administration of uniform matters has been developed.

In relation to the specific shirt issue raised in the November 1999 issue of the Police Journal, I am advised:

All uniform items are replaced on a condemnation basis (i.e., when an item is unserviceable it will be replaced).

Police personnel are entitled to requisition up to five shirts over a twelve month period.

An issue of four short sleeve shirts and one long sleeve shirt to the officer concerned was authorised on 2 August 1999, and the order received by the supplier on 5 August, 1999.

Four short sleeve shirts were subsequently issued on 27 September, 1999. A long sleeve shirt was issued on 6 October, 1999.

### MOBILONG PRISON, ESCAPE

In reply to **Hon. T.G. ROBERTS** (23 November 1999)

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

1. Perhaps the single most important factor for the successful rehabilitation of offenders is the development for every prisoner of a clearly defined path through the prison system based on assessment of risks and needs, incentives and disincentives and the provision of programs targeted specifically at addressing the offending behaviour of each prisoner and the monitoring and recording of performance and behaviour by prison staff.

The Prisoner Assessment Committee was established to provide a quality oversight on the operations of the departmental Prisoner Assessment Unit and to ensure, among other things, that an Individual Development Plan is developed for all prisoners who have sentences of six months or more to serve. The security classification of prisoners is an integral part of that plan. Without an Individual Development Plan prisoners, especially those with long sentences, lose hope, become disruptive and in some cases dangerous and the results can be the return to the community of a completely dysfunctional, angry person.

The Individual Development Plan, implemented through the Case Management process and focussed on addressing the criminogenic needs of prisoners is as much a public safety and crime prevention measures as it is a recognised approach to prisoner management. Lord Justice Woolf, in his 1991 report into British prison riots and conditions, cautioned those who seek to stir the populist genie in relation to prisoner management with his reasoned advice that 'If the experience of imprisonment results in the deterioration in the ability of a prisoner to operate effectively and lawfully within society, or if prisoners are treated in a way which is likely to leave them in an embittered or disaffected state on release, then the overall purpose of the criminal justice system will have been prejudiced.'

The Individual Development Plan is continually updated, as part of the Case Management approach, throughout the prisoner's sentence. A major component in the updating of the Plan is the reports from prison staff who work closely with the prisoners concerned. This procedure results in the development of a profile which affects a prisoner's security classification and subsequent movement between prisons.

To ensure that the Prisoner Assessment Committee represents the views of the wider community, this Government appointed to the Committee representatives from SAPOL, the community and victims of crime to balance the views of departmental staff.

In making its decisions, the Prisoner Assessment Committee and the Prisoner Assessment Unit are required to consider not only the crime which the prisoner has committed but the circumstances of that

crime, the judge's comments, the prisoners behaviour and attitude whilst in prison and any other factors which might give some insight into the prisoner's offending behaviour.

Clearly, at any given point in time, 'lifers' in the prison system will be assigned different security classifications and prison locations which will reflect the reports of prison staff and the stage of the sentence they are at. Some jurisdictions may use a rough 1/3: 1/3: 1/3 as a guide to indicate how much time a 'lifer' might expect to serve at the various security levels, but all jurisdictions, including South Australia, place greater emphasis on a Case Management approach. Some comments in the media on this issue advocated long periods of incarceration in maximum security, regardless of the risks to the community posed by such an approach. Commenting on similar arguments in Great Britain, *The Economist*, in May 1999, stated that 'The treatment of Britain's most dangerous prisoners should embarrass a civilised society.'

There are approximately 4 000 prisoner movements and classification reviews determined by the Committee and the Prisoner Assessment Unit each year. Over the last three financial years, the Committee processed over 12 000 movement and security requests. Over the same period there was an average of approximately 10 escapes each year, the majority of which occurred from the minimum security open prison farm at Cadell. Overall, the number of escapes continues to trend downwards from the 1992-93 figures, despite growth in the prison population since that time and the multiplicity of prison sites.

This is not a bad record at all and is reflected in the reports of the Productivity Commission. By way of contrast, the honourable member may care to note that in the week in which the Mobilong escapes took place, another Australian correctional jurisdiction had 4 escapes, one death in custody and a TB outbreak. The honourable member may also care to know that considerable public local support was given to the Department's efforts by the Morgan/Cadell community and also at a meeting the Minister for Correctional Services and the Chief Executive Officer held with members of the Murray Bridge community. In addition, similar support for the Department was expressed to the media by the State Commissioner for the Aboriginal and Torres Straits Islander Commission, the Aboriginal Justice Advocacy Council, Aboriginal Prisoner Aid and Assistance Services, Offender Aid and Rehabilitation Services, university staff, members of the legal profession and the church community. This provided a gratifying balance to less informed commentary.

With regard to the most recent escape from Mobilong Prison, I would like to correct your description of the two prisoners as 'maximum' security prisoners—they were not, but were rather, and appropriately, classified as medium security prisoners. The Prisoner Assessment Committee is satisfied that both prisoners concerned had met all of the requirements of the Committee for classification as medium security prisoners. Both had undertaken programs to address their offending behaviour and their attitude and behaviour was the subject of favourable reports from prison staff. Perhaps the most accurate test of whether or not they were properly classified was their behaviour whilst at large. Despite the media assertions that these men were dangerous, neither made any attempt, whilst at large, to harm members of the public with whom they came in contact or the arresting Police Officers. These are certainly not the actions of 'dangerous' men.

2. It is not the practice of the Department for Correctional Services to advise victims when a prisoner is moved from high to medium security facilities. Most victims have indicated they do not want to know until prisoners are placed in facilities from where they have access to leave and resocialisation programs in the community. That does not occur until they reach low security.

You should be aware that, several months prior to this escape, the Department had initiated a review of the engagement of victims in its notification processes. This has been the subject of discussion with appropriate victims groups and the process will continue early this year.

3. All registered victims were advised of the escape and offered support, early on the morning of the escape.

The media has identified several victims, who were not registered, and has chosen to promote the story that these people were not advised. I assume these are the victims to whom the honourable member refers. Whilst I do not wish to distress these victims further, this House needs to be aware that continuous efforts were made by victims groups to encourage at least one of these victims to register with the Department for Correctional Services in the months prior to the escape. That victim chose not to do so.

Quite simply, the Department advised all victims who had been registered with it.

Despite the restrictions provided in the Correctional Services Act which makes it illegal for any member of the Department for Correctional Services to advise anyone but registered victims about a prisoner's circumstances, I can assure you the unregistered victims would have been contacted and the appropriate support offered had the Department been aware of their wishes in this regard.

4. I answered this question in my initial response to the honourable member's inquiry.

#### EMERGENCY SERVICES LEVY

In reply to **Hon. J.F. STEFANI** (23 November 1999).

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

1. The introduction of the Emergency Services Levy required a new coding system for levy purposes that translated the Valuer-General's Land Use Code. A similar exercise was undertaken for the introduction of the Local Government Code some years ago.

During the establishment of the coding system for levy purposes it was identified that some anomalies would become evident following the translation of the Valuer-General's Land Use Code. Following discussions between agencies, it was agreed that where anomalies were identified, they would be rectified as soon as possible. If you can provide me with the details, I can forward the information to the Valuer-General for correction.

2. The Valuer-General applies a Land Use Code to every rateable parcel in South Australia, and has the most comprehensive database of all property in the State. This database forms the basis for the Emergency Services Levy and comprises approximately 740 000 parcels. It appears that the database is not completely free from error, and at all times it is the intention of the Valuer-General that the land Use Codes will be used to ensure fairness and equity for rating systems.

3. The Valuer-General is a statutory officer who is charged with ensuring that rating valuations are fair and equitable. As stated in question 1, if you can provide information that will enable the Valuer-General to identify a particular property, if there is any error it can be corrected quickly.

#### HINDMARSH SOCCER STADIUM

In reply to **Hon. T.G. CAMERON** (10 November 1999).

**The Hon. K.T. GRIFFIN:** The honourable member asked what can be done if a Member of Parliament believes that the Auditor-General in answer to a question, has provided misleading or inaccurate information. The honourable Member suggested that a select committee could be set up to investigate the activities of the Auditor-General.

The Auditor-General holds a statutory public office under the Crown. He is not subject to the direction of any person as to the manner in which he carries out his functions or the priority he gives to a particular function. He is independent from the Executive and also from the Parliament in that respect.

While he is not subject to the direction of Parliament, and a House of Parliament cannot direct the Auditor-General how to perform his duties, he is not immune from the exercise of the powers and privileges of a House of Parliament. A Parliamentary Committee may require the Auditor-General to attend before it and truthfully answer questions. Failure to do so would be a contempt of Parliament and the Auditor-General would be liable to be dealt with by the House in the usual manner.

If the Legislative Council passed a motion to create a select committee to inquire into the performance of the Auditor-General, the Select Committee would have the usual powers of a select committee. The Committee would have no powers to discipline the Auditor-General, nor for that matter does the Council as a whole. Under the Public Finance and Audit Act the Governor may suspend the Auditor-General, and he may be removed from office by resolution of both Houses of Parliament.

Of course, the Member is at liberty either to ask a question in the Council or write to the Auditor-General with a view to the Auditor-General providing an answer to be published.

#### PILCHARD FISHERY

In reply to **Hon. P. HOLLOWAY** (19 November 1999).

**The Hon. K.T. GRIFFIN:** The Deputy Premier, Minister for Primary Industries, Minister for Minerals and Energy and Minister for Regional Development has provided the following information:

1. An independent allocation advisory panel has been established to provide recommendations to me on future allocations of the pilchard resource. This process will help to ensure that decisions on allocation recognise the importance of the sustainability of the pilchard resource. The best method to achieve an equitable allocation result is to allow an independent panel comprising a member with legal/judicial experience; a member with economic experience and a member with knowledge of the fishing industry to make recommendations to me on the facts.

This has been made necessary by the inappropriate behaviour of certain participants in the debate. The Hon Paul Holloway is well aware of the history, and how many misleading claims have been made.

2. Panel members are being selected by me based on their independence and experience, but I am anxious that these members are not unnecessarily harassed during the process. I am confident that the members of the pilchard industry will consider the panel to be independent.

3. The terms of reference for the independent panel will be clear and concise. Copies of the terms of reference will be released on appointment of the panel. The panel will have no specific powers under the Fisheries Act 1982. Their role will be to provide me with advice on the future access and allocation of quota for the pilchard fishery.

4. I anticipate that the recommendations of the independent panel will be completed and implemented before 29 February 2000.

5. No delegation of powers under section 23 of the Fisheries Act 1982 is required for the independent panel to fulfil its terms of reference.

6. I will accept the recommendations of the independent panel concerning access and allocation of the pilchard resource.

#### ANTIBIOTICS

In reply to **Hon. R.R. ROBERTS** (19 October 1999).

**The Hon. K.T. GRIFFIN:** The Deputy Premier, Minister for Primary Industries, Minister for Minerals and Energy and Minister for Regional Development and the Minister for Human Services has provided the following information:

1. Antibiotic resistance is a serious issue and of concern to all Australians. Although it is acknowledged that the major factor contributing to the development of antibiotic resistance is the use and overuse of antibiotics in human medicine, also of concern is the possible contribution from the use of antibiotics in the intensive livestock industries.

Because of these concerns the Commonwealth established the Joint Expert Technical Advisory Committee on Antibiotic Resistance (JETACAR) in April 1998. This Committee has extensively reviewed international and Australian scientific literature and the controls and monitoring of antibiotics and antibiotic resistance. Their final report was completed in September 1999 and includes 22 recommendations for the future management of antibiotics in food-producing animals. This report is currently with the Commonwealth Ministers responsible for; Health and Aged Care, and for Agriculture, Fisheries and Forestry.

Responsibility for one of the key JETACAR recommendations falls directly within my portfolio, ie that the States implement a harmonised approach to the control of use of veterinary chemicals. Currently the Deputy Premier, Minister for Primary Industries, Minister for Minerals and Energy and Minister for Regional Development is assessing a white paper produced by the Department, which proposes new controls on veterinary chemicals. These have been based on the recommendations of a national working party and have generally been well received by the South Australian industry and public. These proposals are being given close consideration by the Deputy Premier, Minister for Primary Industries, Minister for Minerals and Energy and Minister for Regional Development and the Attorney General.

Specifically on the matter of avoparcin, I can report that a review of avoparcin was initiated in 1999 by the National Registration Authority (NRA) following concern that its use in animals could lead to resistance to a similar antibiotic used in humans, vancomycin. Several previous scientific reviews have been unable to establish a risk of transfer of resistance from avoparcin use in animals to vancomycin resistance in bacteria that affect humans. These have

included the (European Commission) Standing Committee on Animal Nutrition and the (Australian) National Health and Medical Research Council. A key issue is that avoparcin has not been used in North America but the USA still has significant vancomycin resistance. However, on the basis that the risk was not excluded, the European Commission in 1997 suspended the use of avoparcin, pending further research.

In Australia avoparcin is not used in feedlot cattle and its use in other industries is falling. Given the ban in the European Union (EU) and the limited Australian market, the manufacturer has recently announced the withdrawal of the chemical from the Australian market. The NRA will therefore be suspending its review into avoparcin.

This Government has been actively contributing to reviews and national working parties addressing the issue of antibiotic resistance. We will give serious consideration to any national recommendations once they have been finalised. In the meantime we are progressing South Australian legislation which will significantly improve controls over veterinary chemicals, including antibiotics.

2. There are a number of strategies in place to protect the safe and efficacious use of antibiotics in our community. Health care professionals, principally general practitioners, are being educated on the risks associated with the overuse of antibiotics. This is being undertaken by the Commonwealth Department of Health and Aged Care—

- through feedback to prescribers on the prescribing of Pharmaceutical Benefits;
- through publications and campaigns of the National Prescribing Service;
- through journal articles by professional bodies; and through publications such as the Australian Medicines Handbook and the Therapeutic Guidelines: Antibiotic.

In South Australia, teaching hospitals typically exercise control over antibiotic prescribing through the use of drug formularies, managed by drugs and therapeutics committees and antibiotic working parties. Pathology laboratories report on drug sensitivities for particular bacteria so that the overuse of the latest, most expensive drugs can be avoided, thus minimising both antibiotic resistance and costs.

#### DAIRY INDUSTRY

In reply to **Hon. P. HOLLOWAY** (30 September 1999).

**The Hon. K.T. GRIFFIN:** The Deputy Premier has advised that the Commonwealth Government will implement a structural adjustment package for the dairy industry should all States and Territories agree to deregulate their market milk arrangements by 1 July 2000.

1. On the information so far received the State Government would support the package and would take the necessary steps to ensure that South Australian dairy farmers were able to access their entitlements to the package at the earliest possible date.

2. Present understandings of the restructure package are that a range of measures would need to be put in place in each State, including removal of farm gate pricing and supply arrangements, to coincide with the introduction of Federal legislation. It is expected that these moves will take place on 1 July 2000, but until the Federal Government receives confirmation that all states support the package and an implementation date is set, South Australia will retain the present milk market arrangements.

3. The restructure package has the support of the South Australian Dairyfarmer's Association. The Association reports that the impacts of price and supply deregulation and the restructure package are difficult to predict.

It is anticipated there will be some reduction in dairy farm numbers but this is likely to happen through neighbour buy-outs. The whole purpose of the restructure package is to give those farmers who want to exit the industry some time and assistance to do so. They especially need a chance to realise a reasonable price for their farm assets, which means selling them as operating dairy farms.

The Association, the processing sector and Primary Industries and Resources SA have been providing information to farmers related to options available.

4. The 11 cents per litre levy on retail sales of milk is not expected to significantly affect retail prices. The fall in average price for milk at the farm gate is expected to be similar in magnitude but opposite in effect to the levy. Improvements in efficiency and greater opportunities for market growth are expected to be offsetting benefits to farmers.

#### YEAR OF THE OUTBACK

In reply to **Hon J.S.L. DAWKINS** (19 November 1999).

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

The official launch of '2002—Australia's Year of the Outback' by the Hon. John Anderson, Deputy Prime Minister and Minister for Transport and Regional Services, did take place in Longreach, Queensland on 20 November 1999.

The '2002—Australia's Year of the Outback' program was first touted over a year ago by Bruce Campbell MBE, the former Queensland livestock agency and rural business identity who will chair the Planning Committee.

The launch was attended by a senior representative from the SA Tourism Commission and the Government has also written to Mr Campbell nominating representatives from PIRSA who can assist with input into the development of a business plan for consideration by governments.

The support for the program by our Government was acknowledged in an article by rural editor Nigel Austin in the Advertiser on 20 November 1999.

The South Australian Government looks forward to helping make '2002—Australia's Year of the Outback' a resounding success.

#### FISHERIES COMPLIANCE OFFICER

In reply to **Hon. IAN GILFILLAN** (18 November 1999).

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

1. A fisheries compliance officer was relocated to Berri in November 1998 for 12 months funded as an initiative by PIRSA. The officer provides fisheries compliance services to the commercial fishers and the community through a fee for service arrangement.

The available fisheries compliance effort is deployed by priority, that is, where there is the most identified need.

It has been agreed to maintain a fisheries compliance presence from Berri.

2. This Government has stated that the issue of a recreational fisher licence is not currently on its agenda for discussion. Should this policy change in the future, a proportion of funds collected from recreational licences would be directed to the provision of additional fisheries compliance services.

#### MURRAY BRIDGE MEATWORKS

In reply to **Hon. T.G. ROBERTS** (5 August 1999).

**The Hon. K.T. GRIFFIN:** The Minister for Government Enterprises has provided the following information:

1. The honourable member appears to quote certain provisions of the workplace agreement applying to employees at the Murray Bridge abattoir in order to suggest that the employees are disadvantaged by the agreement and/or did not want the agreement registered.

However, I note that the honourable member does not quote the whole agreement. Consequently, he does not provide a full picture of the situation. In such circumstances I do not consider that either the honourable member or I are in a position to comment on whether this is a 'good example of industrial relations in this State'.

However, I draw the honourable member's attention to the fact that both the Federal and South Australian workplace relations systems provide certain protections for employees in relation to workplace agreements. Of particular note are the requirements that the appropriate approving body must be satisfied, before approving an agreement, that:

- the agreement meets a 'no-disadvantage test'; and
- there must be genuine agreement on the part of the employee or, in the case of a collective agreement, a majority of the employees to be covered by the agreement.

I am satisfied that the existing systems afford more than adequate protections for employees in relation to workplace agreements.

2. The payment of wages to an employee who is covered by the Industrial and Employee Relations Act 1994 is addressed by section 68 of the Act, which states:

'68(1) If an employee does work for which the remuneration is fixed by an award or enterprise agreement, the employer must pay the employee in full, and without deduction, the remuneration so fixed.'

The terms of the applicable workplace agreement, therefore, are clearly important in determining whether payment must be made to employees in the situation specified by the honourable member.

Again, I draw the attention of the honourable member to the fact that, before approving an agreement, the appropriate approving body must be satisfied that the conditions outlined above are met.

#### NATIONAL CARP TASK FORCE

In reply to **Hon. J.S.L. DAWKINS** (18 November 1999).

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

1. The National Carp Control Coordination Group (CCCG) recently released a Draft Interim National Management Strategy for Carp Control. The public consultation process on this draft strategy has recently closed and the submissions received have been considered by the CCCG. In addition, two accompanying documents are being prepared by the CCCG which will provide pragmatic guidance to groups considering on-ground action to control carp. These are Guidelines for the Preparation of Regional Plans for Carp Control and A Methodology for Prioritising Areas of Action.

The Government intends to continue to support the input provided by PIRSA Fisheries as a member on the CCCG in the development of these documents, as well as being a contact point for carp control in South Australia. PIRSA Fisheries also intends to consider the National management Strategy for Carp Control once it has been finalised. A contact person has been formally established within the Department of Environment and Heritage for improved liaison between the two Departments.

2. Currently educational tools such as the Recreational Fishing Guide and Southern fisheries magazine have been used to increase public awareness of the dangers of returning carp to the water. Once regional plans for carp control have been established at a local level, Government will consider the value of alternative public awareness programs to complement these plans. It is important that future education programs are tailored to the carp control methods that may be occurring in any region to provide maximum effectiveness.

#### MARINE SCALEFISH FISHERY MANAGEMENT COMMITTEE

In reply to **Hon. P. HOLLOWAY** (10 November 1999).

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

1. In early 1999, two commercial sector positions on the Marine Scalefish Fishery Management Committee became vacant. A selection panel comprising representatives from the South Australian Fishing Industry Council (SAFIC), the Commercial Marine Scalefish Executive Committee (COMMSEC), the Marine Scalefish Net Fishers Association Inc and the chairman of the Marine Scalefish Fishery Management Committee (MSFMC) was established and assessed the applications received for these positions.

The selection panel was unable to reach a unanimous decision in relation to one of the positions. This led to a considerable delay in the decision making process. A further meeting of the panel was held on 1 November 1999, to see if a unanimous decision could be achieved, but this was unsuccessful. The Minister has subsequently made a decision in relation to this appointment supporting the majority view of the panel. COMMSEC was subsequently advised of this decision and has recently advised the Minister that despite their concerns at the delay in the decision making process it is fully supportive of the process utilised.

Individual fisheries management committees have responsibilities provided for under section 32 of the Fisheries Act 1982, to advise the Minister and Director on the effective management and administration of a particular fishery, so as to enable the Minister to achieve the section 20 objectives of the Fisheries Act.

In achieving these objectives it has been determined that whenever possible each committee will be chaired by an individual who is independent of all major stakeholder groups and of government. The role of the independent chairmen is to provide direction to committees and monitor their efficiency in achieving, as a team, the stated objectives on target. All appointments to these committees, including appointment of the chairmen, are subject to the Minister's approval.

In the Minister's view, since taking up the positions of chairman of the Marine Scalefish and Inland Fisheries Management Committees, Mr Cameron has conducted himself and the activities of both committees in an independent and professional manner. Since his appointment to the committees he has also taken up the role of President of the new Seafood Council (SA) Ltd. The Minister supports Mr Cameron in his role as chair of the MSFMC and has no reason to believe that the two roles are conflicting.

At the recent Seafood Industries Issues Summit a Steering Committee was established. This group held its first meeting on 19 November 1999 and the most significant decision made at this meeting was agreement that a new peak industry body needed to be established to address the need for unity within the industry. This agreement is currently being progressed in consultation with industry, including representatives from both SAFIC and the Seafood Council.

#### MURRAY RIVER FISHERY

In reply to **Hon IAN GILFILLAN** (28 October 1999).

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

1. A fisheries compliance presence is being maintained in the River Murray area. Officers provide fisheries compliance services to the commercial fishery through a fee for service agreement, while the Government provides for compliance services to the wider community. This provides a flexible process in that the level of compliance for any given area remains responsive to what is required at any given time, rather than stationing a set number of officers in the Riverland on a continual basis. Use of finite fisheries compliance resources needs to be prioritised across all fisheries and tends to focus on where the risk of non compliance is considered high.

2. The Government does provide significant compliance resources for the whole of South Australia. Whilst any given level is often seen as "never enough", significant initiatives in the compliance field have occurred. A Fisheries Compliance Officer was relocated to Berri as an initiative by the Department of Primary Industries and Resources.

3. Whilst current Government policy is to retain both commercial and recreational fishing on the River Murray, the Structural Adjustment Plan for the River Fishery embarked on a range of changes to the management of the commercial river fishery. The extension of some commercial reaches by one or two kilometres should not be considered in isolation from the buyout of nine commercial licences, the reduction in gill nets in the fishery and a host of other changes in the fishery. The first stock assessment report is being finalised by the South Australian Research and Development Institute. In addition, economic indicators are being measured on an annual basis which include gross value of production, return on investment and regional economic impact.

4. Following the response to the ERD Committee, licence conditions attached to commercial river licences were amended to reflect the decision that no native fish species should be taken from backwaters of the River Murray. In accordance with section 37 of the Fisheries Act 1982, as Minister I must consult relevant licence holders and the South Australian Fishing Industry Council on any variation to licence conditions. The licence conditions have recently been amended to only allow the taking of bony bream from backwaters and licences have been reissued with amended licence conditions.

#### AQUACULTURE

In reply to **Hon. IAN GILFILLAN** (27 October 1999).

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

I have had the opportunity to discuss the contents of Mr Hill's letter dated 26 October 1999, personally with him. Since that meeting, the administrative arrangements for managing the Aquaculture Industry have been strengthened.

In the first instance, the position of General Manager, Aquaculture in Primary Industries and Resources SA (PIRSA) has been called and is in the process of being filled. In the second instance, the Aquaculture Group within PIRSA now reports to the Deputy Chief Executive of PIRSA, rather than the Director of Fisheries. This will achieve the twin benefits of allowing the Director of Fisheries to

concentrate on fisheries management issues, whilst at the same time giving aquaculture an increased profile.

It remains my intention to keep both the ALP and the Democrats informed of progress in the developing suitable Aquaculture Regulations which will give greater confidence in the assessment and approval processes for Aquaculture Leases.

### BIOTECHNOLOGY

In reply to **Hon. IAN GILFILLAN** (17 November 1999).

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

1. Comments attributed to me as Minister for Primary Industries in various media, as referred to in the honourable member's question, need to be considered in an appropriate context.

Genetics and biological technologies are of particular interest to Australia because our large primary sector is based on biological production systems. Genetic improvement in particular has always been a significant factor in providing ongoing increases in productivity and/or desirable characteristics—thereby providing an important component in maintaining the primary sector's competitive advantage. The advent of gene technology does not change this fundamental point—it just changes the mechanism, the scope of possible improvements and the rate and cost with which they can be achieved.

We would be wise, therefore, not to ignore gene technology's potential to contribute to our collective well being, and to employ some vision in contemplating what it can offer. The fact that the initial commercialised applications involve herbicide and pest resistance does not render the technology unsound or its future barren. It can and will deliver benefits to consumers—even the examples referred to deliver lower agricultural usage and potentially lower commodity prices, which both benefit the environment and consumers.

While I do not intend to defend the marketing and commercialisation strategies of the gene technology companies producing these crops, I do suspect that, with the precision of hind sight, they might have done things differently with respect to building consumer acceptance for their products.

That aside, I should further stress that my broad support for this technology should not be interpreted as completely unrestrained, as we need to put this new technology in place in such a way that it poses no appreciable risk to public health or to the environment.

2. The requirement to segregate genetically modified crops will be driven primarily by the requirement to label any food that cannot definitely be ascertained as non-GM, as established by Health Ministers and now being enshrined as Standard A18 of the Food Standards Code.

3. In the case of the now much quoted work of Arpad Pusztai, the honourable member needs to understand what this gentleman's research involved rather than seizing upon the outcomes as a revealing truth about biotechnology. Pusztai's work entailed the genetic engineering of a potato plant to produce a lectin, a naturally occurring type of compound known to be toxic, using a gene from Snow Drops. The reasons for his wanting to do that particular work are obscure, but the result worked as might be expected—the potatoes were toxic to mice. This says more about the efficacy of nutritional testing than it does about any intrinsic problem associated with genetic engineering as a process. It also appears to support the Minister for Primary Industries' assertion in the media, to which the honourable member referred in the preamble to his questions, lamenting the blight that 'misinformation' has brought to the debate on this important issue.

4. The honourable member also seeks to know, quite properly, about the nature of regulations that might be put into place to ensure that genetically modified products are safe. I can assure him that this is well in hand.

Genetically Modified Organisms are currently administered by the Genetic Manipulation Advisory Committee, which oversees research, field trials and release. GM foods are already regulated through the existing regulations which govern foods—ie the State and Territory Food Acts with the role of developing foods Standards resting with the Australia New Zealand Food Authority under the Australia New Zealand Food Authority Act 1991 (Cth).

Considerable attention is being given to the development of a new regulatory system for assessing and approving each and every novel food as being thoroughly safe to public health and to the environment. This regulatory system will continue to use a national

framework, and will be focussed around the newly formed Office of the Gene Technology Regulator, and will utilising existing expert regulatory agencies such as the Australia New Zealand Food Authority, the Therapeutic Goods Administration, and the National Registration Authority for Farm Chemicals.

South Australia, along with the other States and Territories and the Commonwealth, has been an active contributor to the development of this new regulatory framework through the Consultative Group on Gene Technology Regulation. Through this forum a series of Policy Principles have been agreed and the Commonwealth Government has prepared drafting instructions which are consistent with these Principles. The honourable member may be interested to know that an Exposure Bill is expected to be released for public consultation in the near future. Separate legislation will be needed in each State and Territory, to support this framework, and a draft Model State Bill is being developed by the Consultative Group for consideration by individual states.

5. In relation to the sharing of information on research conducted at the Waite Institute, I strongly agree with the comment in the honourable member's preamble that there is '... the need for open debate about biotechnology'. However, I would point out that much of this research is conducted in this State by the University of Adelaide and the CRC for Molecular Plant Breeding from funds supplied from a range of industry and commercial entities. While I would assume much of their research findings to be reported in the scientific literature in the normal manner, I can in no way direct independent bodies such as that to adhere to the honourable member's request if, for their own reasons, they elect not to.

### GENETICALLY MODIFIED FOOD

In reply to **Hon. T.G. ROBERTS** (20 October 1999).

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

1. The Government supports the development of nationally consistent food law that is based on sound science and allows for consumers to have access to information that may determine their food choices. In the case of food irradiation, the Australia New Zealand Food Authority (ANZFA) has consulted widely with appropriate scientific bodies and the broader community and has determined that food irradiation can be used with appropriate controls to benefit the safety and quality of the food supply. Foods that are irradiated need to be labelled and consumers who are concerned about the technology can choose to avoid such foods. This is the position in all States and Territories in Australia.

2. The South Australian Government has been strongly supportive of the need for the mandatory labelling of all genetically modified (GM) food. The Minister for Human Services has argued strongly at Australia New Zealand Food Standards Council (ANZFSC) meetings of Health Ministers for the mandatory labelling of all food produced using gene technology.

At the August 1999 meeting of ANZFSC, Health Ministers agreed with the view of the SA Minister for Human Services that consumers have the right to know whether the food they eat is produced using gene technology and considered that to provide this outcome a mandatory requirement to label GM food and GM-sourced ingredients was necessary.

At their most recent October meeting, Health Ministers reaffirmed the need for the mandatory labelling of all GM food and food containing GM ingredients. ANZFSC required ANZFA to publish for public consultation and comment a draft of Standard A18 which regulates food produced using gene technology and includes requirements for safety assessment and mandatory labelling.

The SA Minister for Human Services will argue strongly at the next meeting of ANZFSC for the expeditious finalisation of mandatory labelling of all food produced using gene technology to provide consumers relevant and meaningful information, enabling them to make informed choices about the food which they purchase.

With regard to labelling of fat substitutes, the Government again supports nationally consistent labelling requirements that provide the consumer with freedom of choice.

3. The State Government through Food for the Future has recently completed a scoping study on the global organic food opportunity and this report has been provided to members of the Premier's Food for the Future Council. The major markets are Europe, the United States and Japan. These markets provide opportunities for Australian producers, both in primary produce and in processed foods. The Export Facilitator Working committee of the

Premier's Food Council has identified the organics market as an opportunity that needs to be promoted and encouraged throughout South Australia.

### BROKEN HILL PTY LTD

**The Hon. L.H. DAVIS:** I seek leave to make an explanation before asking the Leader of the Government in the Council a question about the BHP investment in South Australia.

Leave granted.

**The Hon. L.H. DAVIS:** The lead story in the *Advertiser* this morning was headed 'BHP moves into town'. This article featured the fact that BHP, the Big Australian, is opening a new 'shared business services centre' in South Australia which will attract 500 new jobs. BHP advised that about 70 per cent of the staff will be recruited locally and another 30 per cent of the jobs will be filled by existing employees from interstate and overseas. This is one of only two of what is described as an 'evolving shared business services centre' operated by BHP; the other one is in Houston in the United States. BHP is quoted as saying that the two centres, that is the one in Houston and the one in Adelaide, will use leading processes and technology to provide economies of scale, cost efficiencies, across the assets.

The Premier, John Olsen, when discussing this important and very positive news for South Australia said:

I think it is a coup for South Australia. It is clear that we are a good investment destination.

He also said:

It is clear that we passed the 80s and being the rust belt state. However, I was rather startled this morning to be awoken by the 5AN news with the opposition leader, Mike Rann, saying that BHP should be considering setting up this new call centre at Whyalla. Mike Rann says that Whyalla would be a better location for the call centre and should be investigated. Knowing Mike Rann's capacity to understand business decisions, as we all do, it is easy to understand that he has confused a call centre—in which South Australia has done very well—with something quite different, which is a shared business services centre.

*Members interjecting:*

**The PRESIDENT:** Order! The honourable member asked to make a statement, not debate the matter.

**The Hon. L.H. DAVIS:** I am sorry, it was too difficult to resist. Mr Mike Rann was quoted in the radio interview as saying:

I just think this will be a really positive gesture on behalf of BHP to see this call centre located in Whyalla, the heart of BHP, and a community that's built around BHP.

My question is: did the Treasurer hear these comments of Mr Mike Rann and does he have anything to say about the decision by BHP to locate this shared business services centre (which will employ 500 people) in Adelaide as distinct from the plaintive cries of the Leader of the Opposition, Mike Rann, to locate it in Whyalla?

**The Hon. R.I. LUCAS (Treasurer):** The first thing—*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:**—I want to say is that I think that this parliament and this state should congratulate Premier John Olsen, the previous minister, Iain Evans, and John Cambridge and the hard-working staff within the Department for Industry and Trade. It is too easy in this life, parliamentary and otherwise, to whinge, whine, complain and be negative, and we have seen it this morning—whingeing Mike

Rann, the member for Ramsay. Even when a magnificent achievement for the state of South Australia is the focus of the media, Mr Mike Rann—or whingeing Mike Rann, as he is called by many—sees an opportunity to be negative and to whinge and whine about a magnificent achievement for the state.

As I said, I want to acknowledge the work of Premier Olsen and Minister Evans, but I particularly want to acknowledge John Cambridge and his hard-working team within the Department for Industry and Trade, because these things do not come easily. A lot of hard work goes into achieving a victory such as this against a number of other competitors—and it is widely known that Premier Beattie and the Queensland government have plenty of money to spend and are very interested in attracting developments such as this to Brisbane and to Queensland. That is the first point that I want to make.

I suppose I have already made the second point that I want to make by way of response to an interjection. It is disappointing that we have an alternative Leader of the Government in South Australia in Mike Rann, someone who just whinges and whines all the time. I think that is something that the community of South Australia is concerned about hearing—someone who knocks and whinges and whines all the time in the way that he has done, and continues to do, or seeks in a crass way engineered publicity stunts for himself in a way which he, when he was a minister, would never have contemplated.

The third point I make is that, as the Hon. Mr Davis has pointed out, the Leader of the Opposition has, either deliberately or otherwise, sought to portray this shared services centre, or back office operation, as a call centre. I think it is possible that some companies might be attracted to regional locations for some call centres. This services centre business opportunity, which will employ some 400 to 500 full-time equivalents, so we are told, includes a significant percentage of professional and executive officers. We are talking about people in accounting and finance, procurement and contract negotiations for the whole of Australia and, indeed, other countries in addition to Australia.

When someone other than whingeing Mike Rann has a look at this proposal sensibly, one will see that this sort of business, with a significant percentage of professionals and executive level operations people, has to operate out of major capital cities. I am told that, in the very early stages of discussion, departmental officers raised the prospect of a regional location and the company—which, after all, makes the final decision as to where it wants its centre—made it quite clear that a regional location would not be suitable for this operation: that this was a centre which would comprise a large number of professional executives who would be required to fly to other capital cities and, indeed, to other countries at the drop of a hat, and the whole notion of having to double up on travel time, with a regional light from Whyalla back to Adelaide, then to catch a linking flight to another capital city in Australia or around the world, obviously would add to travel time and down time for the professional operators within this centre. That was deliberately or otherwise misrepresented by the Leader of the Opposition in his whingeing and whining this morning. I hope that other members of the Labor Party—

**An honourable member:** Terry Roberts?

**The Hon. R.I. LUCAS:** Perhaps the Hon. Terry Roberts, or others, might be prepared to look at this proposal with a more generous spirit than their Leader has been able to so far and welcome it as—

**The Hon. L.H. Davis:** Terry Roberts is nodding.

**The Hon. R.I. LUCAS:** The Hon. Terry Roberts is nodding.

**The Hon. L.H. Davis:** He agrees.

**The Hon. R.I. LUCAS:** He agrees.

**The Hon. L.H. Davis:** He is against Rann.

**The Hon. R.I. LUCAS:** We have known that for a long time. That is nothing new. He has indicated that we need to support this proposal, and I hope that some other members of the Labor Party will also be prepared to support it.

#### BASKETBALL ASSOCIATION OF SOUTH AUSTRALIA

In reply to **Hon. CARMEL ZOLLO** (18 November 1999) and answered by letter on 16 March 2000.

**The Hon. DIANA LAIDLAW:** The Minister for Recreation, Sport and Racing has provided the following information:

1. The Basketball Association of South Australia (BASA) currently receives an annual grant of \$250 000 per annum. This arrangement expires in June 2003.
2. There is an in-principle agreement to provide a further annual grant of \$250 000 to BASA. The terms and conditions of that grant and the period for which it will apply have yet to be finalised.
3. As with any loan, there is a risk that not all principal and/or interest will be received over time, however, BASA has been a good corporate citizen over the years, and the risk is deemed minimal.
4. This is a matter for the Treasurer.

#### TRAFFIC HAZARDS

In reply to **Hon. G. WEATHERILL** (9 November 1999) and answered by letter on 5 December 1999.

**The Hon. DIANA LAIDLAW:** I have been advised that 'Keep Clear' pavement messages are installed on North Terrace for traffic turning right into the Convention Centre and the Hyatt Hotel. These pavement messages are also used on roads under the care, control and management of Transport SA where the speed limit is less than 80 km/h.

The current Road Traffic Act, Section 45A requires that—

'a driver must not enter on, or attempt to cross, an intersection or junction if the intersection or junction or the carriageway which the driver desires to enter, is blocked by other vehicles'.

Compliance with this road rule has not been ideal and this has led to the use of the 'Keep Clear' message at some locations around Adelaide.

These 'Keep Clear' pavement messages are generally used where queuing at traffic signals on busy arterial roads affects access to and from minor roads. They may also be used where a vehicle, waiting to turn right from the busy road into a quieter road across a queue of vehicles in one direction, creates a queue in the opposite direction, therefore potentially affecting the safe operation of the nearby signals.

The message may also be used adjacent to an Emergency Service facility eg a fire station where there may be the potential for vehicles to queue across the driveway to the facility. In such situations, the pavement message is only installed on the carriageway adjacent to the driveway.

Locations around Adelaide include—

- Currie Street near Light Square;
- Greenhill Road east of King William Road;
- Main Road Blackwood near the Glenalta railway crossing;
- Fullarton Road south of Greenhill Road;
- Bridge Road near Clayson Road; and
- Torrens Road near Exeter Road.

The new Australian Road Rules that came into effect on 1 December 1999 include the provision for drivers not to block intersections or junctions. This issue is specifically covered on page 15 of the booklet distributed to all households in South Australia to educate all road users of their responsibilities under the new Road Rules.

#### ABORIGINAL COMMUNITIES

In reply to **Hon. T.G. ROBERTS** (30 September 1999) and answered by letter on 17 March 2000.

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

1. The long-term programs that are put in place to address the root causes of Aboriginal incarceration and law-breaking such as poverty, unemployment, under employment, substance abuse, and lack of appropriate educational opportunities, particularly in regional and remote areas are in the main the responsibility of portfolios with responsibility for education, training and employment.

Within the Department of Environment, Heritage and Aboriginal Affairs the Aboriginal Affairs Division assists with planning and policy direction across these areas and others, such as Aboriginal health, housing, and family and youth services.

Strong links are being forged between the Departments for Human Services, Education and Training, and Justice, as well as with the Division of State Aboriginal Affairs to ensure that issues that are not restricted to a particular portfolio are being addressed in a comprehensive and cooperative manner. This greatly assists Government in addressing not only the outward symptoms of the problems faced by Aboriginal people such as crime and incarceration, but also the underlying causes for these social problems such as poverty, hopelessness, and drug abuse.

The peak bodies in Aboriginal health, education and housing are aware of the special needs of their communities in rural and remote areas of the State, and cooperate with the Government in addressing these needs. The Australian Bureau of Statistics has almost completed an Inventory of Indigenous Data Collections held by State Government agencies which will assist in identifying the needs of Aboriginal people. This will provide an additional tool to help target and treat the underlying causes of Aboriginal social disadvantage.

Details of specific programs can be gathered directly from the respective portfolio areas.

2. The only official source of data regarding employment of Aboriginal people in the mining industry is the 5-yearly Census conducted by the Australian Bureau of Statistics. Data from the 1996 Census shows a total of 23 indigenous people employed in the mining industry in South Australia. Significant growth in permanent resource sector jobs for Aboriginal people in regional South Australia will depend on the success of mineral exploration to locate new deposits and generate new processing projects. The Government's current Targeted Exploration Initiative (TEISA) is aimed at maximising opportunities in these areas.

As an example of relevant educational provision in this sector the Ceduna campus of the Spencer Institute of TAFE has recently completed a training program for Aboriginal people in the Ceduna region, designed to give them the skills to work with mineral exploration companies. The program, which was developed in conjunction with Tjutjunaka Worka Tjuta Inc (the local CDEP), provided seven Aboriginal people with skills in 4-wheel driving, GPS systems and map reading, and basic structural mine geology. It is anticipated that, as mineral exploration companies enter the region, they will utilise the skills of the local Aboriginal community in exploration work. The program has received considerable support from the exploration companies.

PIRSA Mineral Resources Group has provided financial assistance and loan of GPS equipment for this course. It is envisaged that opportunities for on the job training will be provided to Aboriginal people from the AP lands when PIRSA undertakes a bedrock drilling program in the far north of the State next year.

3. It is anticipated that an expanded program will be provided by the Ceduna TAFE campus in 2000, designed to provide local Aboriginal people with prevocational skills in metal trades and geology. These individuals will then be well placed to take up any employment opportunities arising in the mining industry. Similar projects are being considered for the Pitjantjatjara region.

The Minerals Council of Australia awards scholarships to assist Aboriginal students with secondary and tertiary studies. Although not limited to courses directly related to the mining industry, they provide an avenue for Aboriginal students to acquire professional qualifications. 20 students from across Australia were awarded scholarships in 1999. The scheme is now being promoted in rural and regional SA for the year 2000.

#### ABORIGINES, TRAINING

In reply to **Hon. T.G. ROBERTS** (26 October 1999) and answered by letter on 7 February 2000.

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

Currently National Parks and Wildlife South Australia has 22 Aboriginal employees, accounting for 3.1 per cent of the total Heritage and Biodiversity Division, Department for Environment,

Heritage and Aboriginal Affairs workforce. Of these employees, all receive additional training opportunities to further develop themselves and their career options as part of the performance management process within the Department.

National Parks and Wildlife SA has a rolling intake of trainees under the State Trainee Scheme. Each trainee during the course of their 12 month placement receives recognised industry training through a training provider such as TAFE. This program also provides opportunities for young Aboriginal people to gain experience and qualifications that will help them secure permanent employment within the land management industry.

Predicting the number of positions, and where those positions will be located over the next decade is difficult, however, National Parks and Wildlife SA is actively seeking new opportunities for Aboriginal people to become engaged in national parks. Through such initiatives as, Aboriginal trainee programs funded by the federal Department for Education, Training and Employment, joint management arrangements with specific and local parks throughout the State, interpretive dreaming trails developed jointly with National Parks and Wildlife SA in key locations around the State, training and development opportunities for local Aboriginal people who may not normally have access to such programs, are encouraged. Recently, as an outcome of a joint project with the Aboriginal Employment Education Development Branch, four young aboriginal people graduated from their TAFE course and entered permanent jobs as Park Ranger Assistants.

The curricula that are available to Aboriginal students has grown to reflect the upsurge in interest in the land management industry, and the development of standards and competencies that have taken place within the National Industry Training Framework.

In the near future, thanks to industry reference groups working on this over the last five years, there will be standards developed, which will reflect the national land management industry. One of the results of this will be a greater integration of differing land management techniques, including unique Aboriginal perspectives and skills.

Along with specific qualifications in parks and wildlife management, 'Industry Training Packages' that reflect the industry competencies and standards will be developed. Additionally there will also be more of a seamless curriculum between high schools, TAFE and Universities, which will assist in attracting Aboriginal people who wish to pursue a career in this area.

National Parks and Wildlife SA has been one of the few State agencies at the forefront of ensuring that the land management/environmental industry becomes nationally recognised through the development of standards and competencies. It will be through this process that new apprentices and trainees will have greater access to experiences and qualifications that will stand them in good stead for the future as the industry continues to evolve and expand.

### BURRA BYPASS

In reply to **Hon. R.R. ROBERTS** (9 November 1999) and answered by letter on 28 November 1999.

**The Hon. DIANA LAIDLAW:**

1. The initiative for reclassification of a road from rural local to rural arterial rests with the authority responsible for the road, in this case the Regional Council of Goyder.

The established process is for Council to put forward a submission to the Local Roads Advisory Committee for consideration. The Committee will then investigate Council's case and provide me with its report.

I am advised that the Regional Council of Goyder has yet to put such a submission to the Committee.

Transport SA does not believe that the bypass of Burra can reasonably be compared with other bypass roads for which it is responsible. In terms of the example quoted, the Gawler Bypass is part of the national highway network and caters for some 8 000 vehicles per day, a large proportion of which would be long distance traffic. This compares with the estimated 180 vehicles per day using the bypass of Burra.

2. The only avenue of funding assistance available to Council is through the Special Local Roads Program. I understand that Council has yet to seek funding from that source.

3. The rail was damaged and removed prior to the sale of Australian National in November 1997. Advice received from Australia Southern Railroad, the current operator of the line, indicates that the movement of grain by rail from the Burra silo is not considered to be a viable economic proposition.

### HOUSING TRUST, RELOCATIONS

In reply to **Hon. R.R. ROBERTS** (16 November 1999) and answered by letter on 11 January 2000.

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

The area referred to in Port Pirie is in Stage 2 of the Risdon Grove Urban Improvement Project. This area was identified as an area of high concentration double unit stock built in the late 1950s, which was in need of regeneration. Therefore, the Risdon Grove Urban Improvement Project was approved. It is a joint venture between the Trust and Port Pirie Regional Council. Stage 1 was completed last year and Stage 2 is now proceeding.

This Stage involves 20 Housing Trust properties. Of these, four properties were identified to be retained as rental stock and were renovated last financial year. At the time of the renovations the properties were occupied by elderly tenants. One, possibly two additional properties will be retained at this stage because they are occupied by two elderly tenants who are both aged over 80 years. A further two properties in this Stage are leased by the Port Pirie Central Mission under the Supported Tenancy Scheme. This reduces the number of units to be sold to 12.

One of the underlying principles of an Urban Improvement Project such as Risdon Grove, is to reduce the concentration of Trust stock. Also, the Project is to be self-funding which means sales need to be made to enable the Project to continue. At the completion of the Project the area bounded by Esmond, Senate, Balmoral and Anzac Roads will be rejuvenated. The Trust will be using monies from sales to not only maintain but to improve the facilities of properties which are retained for rental.

The Trust has a relocation policy which guides staff in dealing with tenants who need to be relocated into alternative accommodation due to an urban improvement project, such as Risdon Grove. This policy clearly states that every effort should be made to negotiate alternative housing which is suitable to the tenants' needs. Therefore, affected tenants are given sufficient notification of the pending relocation to allow time for them to consider their preferred alternative housing. All efforts are made to ensure tenants are not disadvantaged. In the case of Mrs Patterson, at the time of interview Mrs Patterson—

- indicated she would prefer to remain in her current property;
- indicated if she was required to move she would request a property of the same style as her current accommodation;
- was advised that every effort would be made to accommodate her wishes;
- was advised that careful consideration would be given in selecting a property to offer her;
- was provided with information about what the Trust would undertake in meeting her personal and household expenses incurred in relocating ie cost of removalist, utilities, reconnection, replacement, mail redirection for three months, telephone reconnection fees; and
- was advised that Mrs Brooks, the relocation officer, was available at any time to speak with her to discuss any concerns she may have.

An offer of a similar style property close to Mrs Patterson's current address was made, mainly due to the fact that it has recently been upgraded and is in an area surrounded by long standing tenants. Mrs Patterson refused this offer without first viewing the property. This property was of a higher standard than Mrs Patterson's current accommodation and is in a nearby location.

The Trust will continue to work with Mrs Patterson to identify a suitable property which is of equivalent, or higher standard for her relocation. Mrs Brooks, the relocation officer, will continue to negotiate closely with all the affected tenants to ensure they are not disadvantaged due to moving to alternative housing.

Because the success of projects such as Risdon Grove are dependant on sales the sitting tenants in the affected properties are given first option to buy the property. Attractive finance packages are available to tenants wishing to take up this option.

The benefits of Risdon Grove being successful will be far reaching, not only for public housing tenants, but for the whole community of Port Pirie. However, the Trust is committed to ensuring redevelopment is managed sensitively and it does not impede on the success of the project. As mentioned previously the Trust will be retaining five, possibly six, properties occupied by elderly tenants over the age of 80. All efforts are being made to ensure the concerns of all elderly tenants are taken into consideration by the Trust.



## AIDS COUNCIL OF SOUTH AUSTRALIA

In reply to **Hon. SANDRA KANCK** (20 October 1999) and answered by letter on 11 January 2000.

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

1. ADAC and ACSA were funded to provide complementary volunteer home support services. As the HIV epidemic changes, and new treatments become available, the Department of Human Services (DHS) believes it is necessary to consolidate services so as to ensure that people with HIV are provided with the best services possible. This belief is supported by a report by Lou McCallum Consulting, commissioned by ACSA to assist ACSA in implementing its strategic plan. The reports states—

‘The fragmentation of HIV/AIDS care and support services at ACSA, and in South Australia generally, will require some attention in this period. ACSA needs to decide whether it is possible to maintain a viable care and support service given the extent to which services are spread across agencies. The existence of a volunteer home care service at ADAC challenges the need for a similar service at ACSA.’

‘The arrangement of care and support services for people with HIV/AIDS in South Australia seems unnecessarily complicated for a low-prevalence State. Whilst it is clear that the current arrangement of services has built up over time it is not clear that it serves people with HIV/AIDS well.’

ADAC already manages the Cheltenham Place Intermediate Care Facility. The integration of intermediate care and volunteer home-based care services under the management of a single agency is in the interests of strengthening continuity of care and ensuring access to services is made less complicated.

2. While 74 per cent of HIV positive people in South Australia are or have been homosexually active, 26 per cent have not (Sources: Table 3.1, Sexually Transmitted Diseases in South Australia in 1998, Epidemiological Report No 12). A key element to the success of the response to HIV in Australia has been the mobilisation of a partnership approach in the work of HIV prevention and the care and support of people living with this disease. ADAC, like ACSA and People Living with HIV/AIDS is a community based organisation. Staff and volunteers at both organisations are recruited from a broad base that includes members of the gay and lesbian communities.

3. The funding decisions for 1999-00 were based on wide consultation and research, with the willingness of non-Catholic and non-Christian HIV positive people to seek assistance from an agency associated with the Catholic Church being one consideration.

The consultation process commenced with a joint meeting of the ACSA, ADAC and People Living with HIV/AIDS boards of management on Thursday, 13 May 1999. It then proceeded with a widely distributed survey, a community consultation meeting on Wednesday, 23 June 1999 and submissions from key service providers. The DHS also encouraged HIV positive people who felt unable to complete the survey (due to illness or any other reason) to provide comment via the telephone.

Two pieces of independent written research were taken into account—

- the evaluation report by Murray Couch, on the State HIV intermediate care service (Cheltenham Place) provided by ADAC; and
- an ethnographic study of ADAC as a service provider to gay men with HIV by June Cox.

Both pieces of research clearly indicated that gay men with HIV in South Australia had a high regard for ADAC as a service provider and that the association of ADAC with the Catholic Church was not identified as a relevant issue.

As previously noted, the McCallum Report, commissioned by ACSA, states “The existence of a volunteer home care service at ADAC challenges the need for a similar service at ACSA”.

The total consultation process revealed that people living with HIV, including gay men with HIV, were neither universal in expressing concerns about ADAC, nor unanimous in their support for ACSA. Based on the outcome of these wide consultations, and the need for integration and coordination, ADAC was judged the more appropriate alternative.

4. The funding decisions have been made and will remain. The Government has an ongoing commitment to working in a partnership approach to achieve the best possible outcomes for HIV positive people in South Australia.

## RAPID BAY JETTY

In reply to **Hon. P. HOLLOWAY** (27 October 1999) and answered by letter on 28 December 1999.

**The Hon. DIANA LAIDLAW:**

1. In August 1996, the Government announced that an amount of \$8 000 000 had been set aside for capital works over 4 years to upgrade jetties which Councils agreed to lease, and a further \$4 800 000 for ongoing maintenance over 3 years.

Initial estimates of the cost of works on jetties were generally less than the final costs because of the inability to examine all sections of a jetty until repair works commenced. As the funds available were limited, Councils were advised that it would be ‘First in Best dressed’ until the funds expired.

The District Council of Yankalilla initially declined the offer of entering into a lease with the Government for the Rapid Bay jetty – but discussions have re-commenced recently.

2. The District Council of Yankalilla entered into leasing arrangements for both Second Valley and Normanville jetties. However, the Rapid Bay situation is much more complicated, this being an Indentured Port and the jetty being under the control of a private company (Adelaide Brighton Cement). Adelaide Brighton Cement completed removal of its infrastructure from the jetty proper during 1998. Transport SA has now reopened discussions with Council.

Further to my reply on 27 October 1999, I advise that the following funds have been set aside for upgrading jetties, including works completed—

Eyre Peninsula	\$2 542 000
Yorke Peninsula	\$3 776 200
Upper Spencer Gulf	\$1 070 000
South East	\$ 515 000
Fleurieu Peninsula	\$ 195 000
Total	\$8 098 200

In the regions of Eyre and Yorke Peninsulas, the South East and the Fleurieu Peninsula, agreements have been finalised for all recreational jetties except Emu Bay, Rosetta Head, Port Gibbon, Beachport, Port LeHunte and Rapid Bay.

## ARTS, DISCUSSION PAPER

In reply to **Hon. T.G. CAMERON** (17 November 1999) and answered by letter on 9 January 2000.

**The Hon. DIANA LAIDLAW:** In my letter of 9 January 2000 to the Honourable Member I provided the following information—

‘As the Honourable Member would be aware, the Nugent Inquiry’s Final Report, entitled Securing the Future, was released on 16 December 1999.

I expect to meet with the Federal Arts Minister later this month to discuss the Report’s implications for South Australia, in advance of the Cultural Ministers Council meeting which is likely to be convened in February 2000.’

Subsequent to this reply, I advise that the Cultural Ministers Council meeting will be held in April 2000.

## AIR POLLUTION

In reply to **Hon. T.G. CAMERON** (30 September 1999) and answered by letter on 1 December 1999.

**The Hon. DIANA LAIDLAW:** I am pleased to advise that both the number of buses and the duration of ‘lay over’ will reduce significantly when the new bus contracts commence in April 2000. From this time, contractors will maximise ‘through running’ in the new contract areas. This will mean that very few buses will need to ‘lay over’ on King William Road.

As an interim measure, TransAdelaide has agreed that buses that ‘lay over’ for greater than 10 minutes (approximately 38 per cent of buses) will have their engines turned off. TransAdelaide has already issued a Staff Bulletin to all of its operations staff to turn their bus engines off when the ‘lay over’ time is greater than 10 minutes. Field supervisor staff will monitor the ‘lay over’ zone to ensure that drivers observe this requirement. TransAdelaide is also taking action to include this instruction in the ‘run books’ issued to operations staff.

It is not feasible to turn off the engines of buses that ‘lay over’ for less than 10 minutes as the engines require a cool down and warm up period to preserve their operational efficiency. In addition, air-conditioning systems on the buses require time to either cool or heat the bus—and this system does not operate when the engine is switched off.

### EFFLUENT PONDS

In reply to **Hon. T.G. CAMERON** (21 October 1999) and answered by letter on 13 March 2000.

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

The siting of the Septic Tank Effluent Drainage Scheme oxidation lagoons for Waikerie was decided after the then Drainage Coordinating Committee indicated that the preferred location was north of the main Waikerie Road across from Section 4A, Hundred of Waikerie, which is where the lagoons were constructed. The lagoons are located on the River Murray flood plain and the earth embankments are about 5 metres below the 1956 flood level.

The Drainage Coordinating Committee was an inter-departmental advisory committee with the task of making recommendations on areas where it considered full sewerage or septic tank effluent drainage should be provided. The two Government agencies involved in the Committee were E&WS (the predecessor of SA Water) and Department of Public Health (now the Public and Environmental Health Service of the Department of Human Services).

Following consideration of alternative sites by the various parties, the then District Council of Waikerie notified E&WS in a letter dated 26 July 1967 that the site proposed by the Drainage Coordinating Committee was acceptable to it.

SA Water has found no reference on its files to support the contention that the State Government "forced" the District Council of Waikerie to site the lagoons on the flood plain against their wishes.

As the owner and operator of the Septic Tank Effluent Drainage Scheme, including the treatment lagoons, the District Council of Loxton-Waikerie, is responsible for the performance of its facilities. Accordingly, it is the responsibility of the District Council of Loxton-Waikerie to undertake the relocation of the ponds to a site above the 1956 flood level or some other action such as improved treatment or irrigation.

Council should contact the Local Government Association to clarify its options, if necessary, and to explore the possibility of financial assistance through the Government's arrangements for such purposes.

### WOMEN'S STUDIES RESOURCE CENTRE

In reply to **Hon. SANDRA KANCK** (17 November 1999) and answered by letter on 9 January 2000.

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

1. The Women's Studies Resource Centre is a valuable resource for all South Australian women.

In July 1999, the Department of Education, Training and Employment signed a Memorandum of Understanding with the Women's Studies Resource Centre Group Inc. Under the Memorandum, the Department is committed to providing:

- an operating grant of \$21,000 for 1 July 1999 to 30 June 2000;
- 1.0 FTE Library Technician at AS02 level or greater;
- funding for rental of accommodation up to \$10,863;
- access without charge to the department's courier and mail distribution system; and
- advice and support without charge in maintaining the IT systems owned or licensed by the department and located at the centre.

Similar funding arrangements have existed between the department and the centre, for over 25 years.

2. Refer to reply to question on 17 November 1999.

3. The Department of Education, Training and Employment does not own the collection housed at the Women's Studies Resource Centre. The Women's Studies Resource Centre Collective (an incorporated body) are the owners of the collected material. Any decision about location is very much one for the Women's Studies Resource Centre Collective to determine.

However, under the Memorandum of Understanding, the Centre is obliged to provide staff and students of the Department with access to the resources of the Centre for the life of the agreement.

### POLICE, EDITHBURGH

**The Hon. CARMEL ZOLLO:** I seek leave to make a brief explanation before asking the Attorney-General,

representing the Minister for Police, a question about Edithburgh police station.

Leave granted.

**The Hon. CARMEL ZOLLO:** I have been contacted by a constituent from Edithburgh in relation to the recent media publicity about the Edithburgh police station. In particular, he referred to an article in the *Advertiser* of 19 February, as follows:

Edithburgh police station, which normally has one officer, will be vacant for as long as 12 months.

I understand that the reason for the vacancy is as a result of extended sick leave, and it is anticipated that the officer involved will not return to active duty until the end of the year. My constituent and I, and I am certain most other members of the community, are naturally concerned about the lack of an adequate police service to the area. Can the minister advise why a replacement officer will not be provided at the Edithburgh police station, as reported in the media, given the extended period involved?

**The Hon. K.T. GRIFFIN (Attorney-General):** I will refer the question to my colleague in another place and bring back a reply.

### TAFE FUNDING

In reply to **Hon T.G. ROBERTS** (17 November 1999).

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

1. As part of the department's three year budget strategy prepared by Treasury in 1997, TAFE is committed to achieving the following savings targets:

1999	\$5.822 m
2000	\$3.153 m
2001	\$0.802 m

2. Savings will be achieved primarily through a reorganisation of administrative arrangements. Services to students should not be affected.

3. There will be no adverse impact on Aboriginal training programs as a result of the TAFE savings targets because they are funded outside of the TAFE budget.

### SCHOOL TEACHERS, COMPETENCY

In reply to **Hon. G. WEATHERILL** (19 November 1999).

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

The two documents entitled 'Teachers' Work' and 'The Roles and Responsibilities of Teachers' which were published in 1992, broadly describe the work that teachers in South Australian state schools are expected to perform. These resource documents have been used consistently since 1992 under both Liberal and Labor Governments. The frameworks contained within the documents do not change from year to year.

Within state schools, Principals and Deputy Principals are familiar with the frameworks provided by the 'Teachers' Work' and 'The Roles and Responsibilities of Teachers' documents and use them accordingly when considering and making judgements in relation to a teacher's competency. The Department of Education, Training and Employment provides a range of learning and support mechanisms for Principals and Deputy Principals in these matters.

The monitoring of teacher's professional skills takes place within the performance management processes of each individual school. These performance management processes are conducted in the school and classroom environment to allow the Principal or Deputy Principal to make judgements about a teacher's performance and competency and, where necessary, to provide appropriate support and training and development.'

### ELECTRICITY, PRIVATISATION

In reply to **Hon. T.G. ROBERTS** (18 November 1999).

**The Hon. R.I. LUCAS:** It is not appropriate to disclose the additional information sought under the supplementary bidding rules, but the supplementary rules, and the information sought was advised

to, and found satisfactory by, the Auditor General prior to them being issued to final bidders.

#### ADELAIDE INTERNATIONAL HORSE TRIALS

In reply to **Hon. A.J. REDFORD** (17 November 1999).

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

As noted in the explanation, the Adelaide International Horse Trials were a resounding success for South Australia. One of only four such events in the world, the Horse Trials attracted over 50 000 people and secured a high level of media coverage both in Australia and overseas.

However, as with all events staged in South Australia, the Government is committed to their continual improvement and has identified several ways to improve the Adelaide International Horse Trials.

Now that the event has achieved four star status and has cemented its high standing in the International equestrian arena, there is enormous potential for growth in 2000 and beyond. We will be aiming to increase the level of sponsorship for the event, thus reducing Government investment. One of the main aims of all events is to attract visitors to South Australia. This is no different with the Horse Trials, and we will be concentrating on marketing the event both interstate and overseas as part of the South Australian Tourism Commission's marketing program and through cooperative advertising ventures with airlines and hotel chains. To support these activities, we are developing a local, national and international awareness campaign for the Horse Trials. Finally, we aim to improve public viewing facilities on the track, which will assist in boosting attendance numbers and benefit those already attending.

General feedback regarding the event has been overwhelmingly positive, with participants and organisers commenting on the professionalism of the event. Mention has also been made of the new stables and competitor campground, with many riders describing them as excellent facilities for both horse and rider.

Sponsors, the general public and the visiting media have also expressed satisfaction with the event, with several international television commentators saying, 'the ABC could teach the Brits a thing or two about international equestrian event coverage'.

South Australia has developed an enviable reputation as a first-class destination for staging major events. Events such as the Adelaide International Horse Trials, the Jacob's Creek Tour Down Under or the Clipsal Adelaide 500, all have benefits for the State and continue to win the praise of organisers, participants and international media.

#### ELECTRICITY, VOLTAGE LEVELS

In reply to **Hon. NICK XENOPHON** (28 October 1999) and answered by letter on 23 January 2000.

**The Hon. R.I. LUCAS:** The Government is aware of Dr Gunter and the issues he has raised in Victoria.

ETSA Utilities undertakes a monitoring of voltage levels in the distribution network, generally as a result of a request from a customer. The usual reason for a voltage monitoring request by customers is because the voltage level is too low. The results of these surveys are provided to the customers affected upon request. Complaints regarding voltage levels and power surges have been monitored by the Technical Regulator over the last 2 years and have been reported in the Technical Regulator's Annual Report. Voltage standards in the South Australian electricity supply industry are established under Regulation 10 of the Electricity (General) Regulations 1997, dealing with quality of supply. Regulation 10 provides that electricity infrastructure must be designed, installed operated and maintained so that the voltage at a customer's point of supply is generally as set out in Australian Standards AS2926 and the voltage fluctuations that occur in AS2279. The current standard for single phase domestic supply is 240 Volts +/- 6 per cent. This standard applies throughout Australia and electrical products sold within Australia are designed to operate within this voltage band. The provision of safety requirements for electrical products is covered by the Electrical Products Act 1996.

The South Australian Independent Industry Regulator issues licences to businesses operating within the South Australian electricity industry, including ETSA Utilities. Clause 7 of the ETSA Utilities' Distribution Licence requires the development of, and reporting against, safety and technical management plans. The licensee must prepare a safety and technical management plan

dealing with matters prescribed by regulation, submit the plan to the Industry Regulator for approval and undertake annual audits of its compliance with its obligations under the plan and report the results to the Technical Regulator.

The Government did not consider that there was a need to undertake further independent monitoring prior to the finalisation of the lease of ETSA Utilities. The appropriate monitoring regime for electricity entities for licence condition compliance and consumer protection purposes will be determined by the Independent Regulator in the future.

#### ALICE SPRINGS TO DARWIN RAILWAY

In reply to **Hon. G. WEATHERILL** (16 November 1999).

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

The construction of the Alice Springs to Darwin Railway will provide South Australia with an alternative link to Asian markets. The link will be a major thoroughfare for the nation's exports through to Asia and will cut many costly freight delays at various ports.

The successful bidder, Asia Pacific Transport Consortium, has included an economic development program as part of its tender, incorporating a Local Industry Participation Plan. This Plan involves committing to 70 per cent local industry content, SA and NT, during the construction and operation of the railway.

The Government has established the Partners in Rail project with the aim of maximising industry development opportunities for South Australians. The Partners in Rail project will involve the establishment of a Rail Partnership Group and a Government Rail Project support team. These groups will work with industry, regional communities and Government agencies to ensure local South Australian firms are positioned to take advantage of the opportunities afforded by the railway. The railway will provide opportunities in regional communities such as Port Augusta for expansion of heavy industry, for maintenance and refurbishment of rolling stock and rail infrastructure. The railway project will provide BHP Whyalla with its largest single order and provide an opportunity to enhance the performance of its Long Products Division. The railway will also provide Whyalla with an opportunity to become a major player in the rail industry by providing train crews and maintenance staff.

The Adelaide to Darwin rail link has the potential to greatly assist South Australia's economic development potential. The railway will provide a major transport carrier for future mining developments in the State's far north.

In relation to dollar value benefits to South Australia, the Premier in his Ministerial Statement to Parliament on 9 December 1999 referred to economic modelling that the State economy was likely to benefit from the project, in net terms excluding landbridging, in the order of \$250-600 million over a twenty five year period. At the time of his Ministerial Statement, the Premier stated the importance of planning now to ensure that when the rail link was in place maximum advantage of the estimated potential benefits would accrue to both regional communities and to the State as a whole.

#### PARTNERSHIPS 21

In reply to **Hon. M.J. ELLIOTT** (11 November 1999).

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

1. Mintabie Area School has voluntarily opted in to the first round of the Partnerships 21 TAKE UP.

In accordance with Regulation 90 of the Education Act, a special general meeting was held at Mintabie on 13 November 1999 to finalise a position on Partnerships 21 TAKE UP. The meeting was attended by approximately 80 people and voted by a clear majority to join Partnerships 21.

The draft service agreement was subsequently signed by both the Principal and the Chair of the School Council on 13 November 1999.

2. The decision by a school to enter into Partnerships 21 is a voluntary one that takes into account the views of the school community.

It is vital that every opportunity is provided for parents to be involved in decisions regarding Partnerships 21 TAKE UP. This will normally happen via School Councils and through meetings convened specifically for that purpose.

Established procedures, such as the process of special meetings, are in place to facilitate discussion and agreement if School Councils

do not follow the wishes of parents. These procedures are widely known.

### SCHOOL PHOTOGRAPHS

In reply to **Hon. T. CROTHERS** (11 November 1999).

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

1. The Department of Education, Training and Employment's policy in relation to commercial school photographs is set out in the Administrative Instructions and Guidelines and is as follows:

- Photographs may be taken only with the approval of the Principal of the school on each occasion. The following procedures must be observed:
  - No child may be photographed in a group or individually without obtaining in advance the written permission of a parent;
  - School staff may give assistance, but shall not be held responsible for moneys collected or for distribution of photographs;
  - There shall be no obligation on the part of parents to purchase photographs, even if they have given permission for the child's photograph to be taken;
  - Photographers shall give an undertaking that they are prepared to sell single or multiple copies to parents;
  - All notices, collection packets, etc required in connection with the photographs must be supplied by the photographer; and
  - The taking of photographs in schools shall be restricted to one period per year.

The guidelines apply to all schools and are protective of those families who may be experiencing financial hardship.

2. The policy makes it abundantly clear that parents are under no obligation to purchase school photographs.

3. School photographs provide parents of school aged children with the opportunity to obtain a family record of their child's attendance at a particular school. They are a popular component of most schools' activities each year and they support the development of school communities and a learning environment in which relationships with families are valued.

4. As so many families derive great pleasure from having these records of their children's school years it is desirable to continue with the current policy relating to school photographs.

5. I am satisfied that the current policy provides appropriate guidelines for schools. I believe schools now, and historically, have implemented these guidelines with care and full consideration of family circumstances. The case to which you referred, while unfortunate, is not the norm.

### ELECTRICITY SUPPLY

In reply to **Hon P. HOLLOWAY** (26 October 1999) and answered by letter on 23 January 2000.

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

1. As indicated, the new Retail Code applying to franchise customers (and from 1 January 2003, to contestable customers with annual consumption less than 30MWh) and administered by the Independent Industry Regulator requires that a retailer must indicate on its bill the amount of interest approved by the Regulator for late payment. ETSA Power's Customer Sale Contract, developed and approved in accordance with this Code, includes a provision indicating that ETSA Power may levy interest on outstanding payments if it so chooses, at the rate approved by the Industry Regulator.

The current practice of ETSA Power is not to charge interest on the late payments of residential customers, and ETSA Power has no intention at this point of changing its policy. However, should it wish to charge interest on late payments by Retail Code customers, the approval of the Independent Industry Regulator would be required under the Retail Code.

2. Not applicable. As indicated above, the Independent Regulator must approve the amount of interest to be levied on late payments under the Retail Code. The Industry Regulator has not at this time approved any such interest amount.

3. A \$5 administration fee currently applies to all customers for late payment. It is intended that this practice will continue. This fee is only imposed at the time of a disconnection notice, after a reminder notice and a warning of the prospect of a late fee have been served on the customer. The Retail Code also stipulates in detail the alternative payment options that must be offered to customers experi-

encing payment difficulties, including an interest free instalment plan.

4. Not applicable. This is open to the Independent Regulator to determine in approving the amount of interest to be levied on late payments under the Retail Code. As noted above, the Industry Regulator has not at this time approved any such interest amount.

### CAPITAL INVESTMENT PROGRAMS

In reply to **Hon. R.R. ROBERTS** (20 October 1999).

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

1. I am not aware of any initiative, approved by Cabinet in April 1992, to improve procedures relating to capital works projects. It may be that the consultancy referred to is the Corke Report undertaken by the consulting firm, Rider Hunt, in April 1999. Since this report was requested by Cabinet and instigated by Minister Armitage, I suggest that it would be more appropriate for you to seek details of the report from him.

2. The 1998-99 Budget of \$1 163 million (not \$1 150 million) comprised annual provisions, minor works and works in progress totalling \$793 million and new works estimated to cost \$370 million. Of the total program, \$940 million related specifically to capital works in the non-commercial sector.

Should you require further project information on capital investment by individual portfolio, this is included in the Agencies' Portfolio Statements and the Government Capital Investment Statement presented to Parliament at the time of the Budget.

3. As part of the 1998-99 budget process the Government decided to publish the Budget on an accrual Output Budget basis. This required that the previous 'capital works' program be realigned on an accrual basis in accordance with Statements of Accounting Concepts and applicable Accounting Standards. This meant that some projects/programs funded through the Capital Works Statement were now included in the operating activities of the statement of cashflows as the expenditure did not create an asset. In making this transition from 'capital' to 'investing', the comparable investing figure for the Government's 1998-99 non-commercial sector capital budget of \$940 million was \$775 million. Further details on this accounting treatment can be found in the Government's 1998-99 Capital Works Statement.

As detailed in the 1998-99 Capital Works Statement, the expected investing result for 1998-99 was \$634 million, compared to the initial budget of \$775 million under the new accounting arrangements.

Based on end of year results, the 1998-99 capital investment for the non-commercial sector is of the order of \$512 million, which compares with the estimated result of \$634 million. Of the under-spending it is anticipated that agencies will seek carry over of the order of \$100 million. The balance results from project savings.

4. Of the 85 major new projects budgeted for in 1998-1999 by non commercial sector agencies, 61 commenced construction.

5. Detailed information on the Government's Capital Investment Statement, including new works, works in progress and annual provisions and minor works, is provided both in the Agencies' Portfolio Statements and Government Capital Investment Statement. The Capital Investment Statement lists projects when expenditure of \$300 000 or greater is planned for the current year. These projects account for about 70 percent of the proposed expenditure. Accordingly, I consider that the information currently provided in the Budget papers represents an appropriate level of detail.

### ELECTRICITY, PRIVATISATION

In reply to **Hon. SANDRA KANCK** (20 October 1999) and answered by letter on 23 January 2000.

**The Hon. R.I. LUCAS:** I can confirm from closer inspection that the comments made by the Auditor General in the Audit Overview, part A4 (page 22) to the effect that:

... the benefits from competition are likely to be unevenly shared amongst consumers, with lower consumption consumers bearing the costs, but gaining little from competition; were, in fact, a direct reference to the findings of a report, Contestability for Residential and Other Low Use Electricity Consumers, prepared in December 1998 by SRC International Pty Ltd for the New South Wales Independent Pricing and Regulatory Tribunal (IPART).

### EMERGENCY SERVICES LEVY

In reply to **Hon. G. WEATHERILL** (20 October 1999) and answered by letter on 23 January 2000.

**The Hon. R.I. LUCAS:** Under Division 81 of A New Tax System (Goods and Services Tax) Act 1999, GST applies to payments of taxes, fees and charges, except for those taxes, fees and charges that are excluded from the GST by a determination of the Commonwealth Treasurer.

If a Government tax, fee or charge is not excluded by the Treasurer's determination, the supply to which it relates is a taxable supply.

The Commonwealth, States and Territories have agreed, as part of the Inter-Governmental Agreement on Tax Reform, that the GST does not apply to the payment of some taxes and compulsory charges having regard to the following principles:

- (i) taxes that are in the nature of a compulsory impost for general purposes and compulsory charges by the way of fines or penalties should not be subject to GST as these will not relate to any specific supply of goods and services;
- (ii) similarly, those regulatory charges that do not relate to particular goods and services should be outside the scope of the GST; and
- (iii) the inclusion of any other charge in the Commonwealth Treasurer's determination notwithstanding that it may relate to the supply of a particular good or service will require the unanimous agreement of the Commonwealth, States and Territories.

The Commonwealth, State and Territories are still negotiating the precise coverage of the list. However, given the principles outlined in the IGA the emergency services levy will form part of that determination, and hence be GST-free, because it is a compulsory impost and does not relate to any specific supply of goods and services.

South Australian Government Departments and Agencies have been compiling GST Business Impact Statements, a component of which is the determination of which fees and charges will be subject to GST.

The distinction between fees and charges which are subject to GST and those that are not requires an assessment of many factors including:

- the GST-free list of Government fees and charges (which is yet to be finalised);
- charges which are GST-free for other reasons (such as those related to education, health and water and sewerage);
- charges which relate to input taxed activities (such as residential rents and financial services); and
- fines and penalties which are GST-free.

It will be some time before it will be possible to estimate the GST bill associated with all government charges.

### STATE ECONOMY

In reply to **Hon. P. HOLLOWAY** (20 October 1999) and answered by letter on 23 January 2000.

**The Hon. R.I. LUCAS:** The claim made in the Governor's speech that 'over the last year South Australia has had the second highest level of growth of all the states and territories' is correct but in relation to 1997-98 not 1998-99. Gross State Product (GSP) data are produced annually by the Australian Bureau of Statistics (ABS) and the latest data refer to 1997-98 (ie these data were the latest available at the time of the Governor's Speech). For this period, South Australia's GSP growth rate (5.9 per cent) was second only to Western Australia's (6.3 per cent).

For the later period June quarter 1998 to June quarter 1999, State Final Demand (SFD) in South Australia is estimated to have fallen by 0.2 per cent. SFD includes investment spending which shows considerable volatility. Household consumption spending grew by 1.9 per cent over the same period. It is important to note that spending estimates include spending on imports. GSP in contrast relates to production for supply to both South Australia and interstate and overseas purchasers. The latest export data show that South Australia's overseas merchandise exports increased by 9.3 per cent in the 12 months to August 1999 compared with a year earlier.

### MARRIAGE EDUCATION

In reply to **Hon. CARMEL ZOLLO** (20 October 1999) and answered by letter on 23 January 2000.

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

Marriage education includes the teaching and learning of relationship skills, attitudes and values which are regularly taught to

students within existing and planned curriculum frameworks as part of personal and social development, within the Health and Physical Education learning area.

The focus of learning in this section of Health and Physical Education is based on students being provided with opportunities to develop and apply knowledge, processes, skills and attitudes necessary for making informed decisions about active and healthy living for themselves, the community and the environment. Students also learn about factors that promote well-being and those that present a risk. They learn that the beliefs, attitudes and values held by individuals, families, cultural groups and the wider community have a strong influence on how they live and the choices they make.

The National Vice President of the Australian Family Association (AFA) has advised that her organisation has not developed a detailed proposal regarding marriage education but anticipates that this will be done in the Year 2000.

As reported in the Sunday Mail on 17 October 1999, the Minister for Education, Children's Services and Training will consider proposals from the AFA regarding marriage education when they are presented. The proposals will be considered in the context of the teaching of relationship skills that already exists through the Health and Physical Education curriculum.

### YEAR 2000 COMPLIANCE

In reply to **Hon. CARMEL ZOLLO** (28 September 1999).

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

1. The exercises known as 'Purple Mist 1 and 2', focussed on the potential for Y2K incidents in the December 1999 to January 2000 risk period. As part of these exercises discussions were held and agreement reached with the ABC on arrangements for informing the entire South Australian community in a timely manner about any Y2K problems. Y2K arrangements, including reporting procedures and communications links, were also confirmed with the Commonwealth, via Emergency Management Australia.

In the course of the exercises, communications arrangements with Telstra were confirmed and links with the Wireless Institute Civil Emergency Network and Australian Citizens Radio Emergency Monitors were identified and established. Links with the New Zealand Civil Defence Home Page, specially established to report on Y2K incidents (or lack of them) in New Zealand were also validated.

Within the State Government, arrangements with the Bureau of Meteorology to maintain the continuity of forecasting were confirmed. In addition, reporting procedures with the Emergency Management Council were confirmed and the role of the specially established Y2K Functional Service was clarified.

No significant deficiencies in the State's Y2K preparedness were identified.

2. Modifications to the Y2K Supplementary Plan that occurred as a result of these exercises may be summarised as:

- formation of a Y2K Functional Service.
- changes to the timing and the extent of activation of the State Emergency Operations Centre, Divisional Emergency Operations Centres and State Control Centres.
- changes to the interaction with Emergency Management Australia.
- changes to staffing commitments and rosters.
- preparation of a State Emergency Operations Centre Y2K Incident Report Form.
- enhancement of Information Technology systems within the State Emergency Operations Centre.

3. The following State, Local and Commonwealth government agencies and private sector groups were involved in the exercises:

Justice Department  
 Department of the Premier and Cabinet  
 Transport and Urban Planning  
 Human Services  
 Defence  
 Metropolitan and Country Fire Services  
 Police  
 State Emergency Service  
 Office of Year 2000 Compliance  
 Port Adelaide-Enfield & Mitcham Councils  
 Kennards Hire  
 Fauldings  
 Telstra  
 Boral

Mobil

South Australian Farmers' Federation

Australian Broadcasting Corporation and other media

There has been no requirement to modify the State Disaster Plan as a result of these exercises.

4. The exercise known as 'Team Spirit 99', which was a procedural exercise, was conducted on 7 and 8 December 1999 and involved all agencies mentioned in the State Disaster Plan, as well as the specially convened Y2K Functional Service. A call-out practice was conducted on 7 December. On 8 December the exercise responded to a bushfire scenario, complicated by hypothetical Y2K incidents.

### STUDENTS, FOREIGN

In reply to **Hon. T. CROTHERS** (19 October) and answered by letter on 23 January 2000.

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

The following actions have been initiated in an attempt to recruit additional overseas students into Adelaide educational institutions:

- The Government has established Education Adelaide, a specialist authority to raise the profile of Adelaide in the international education market place. It is a single focus for a coordinated State education export industry and supports the development of Adelaide as an education city.
- To meet these objectives Education Adelaide has opened recruitment and representative offices in Tokyo, Hong Kong and Singapore. It has drawn up a detailed marketing strategy which focuses the marketing efforts of the State in the most opportune markets and is 'badging' under the South Australian banner all the educational institutions at exhibitions throughout Asia. An extensive range of promotional materials i.e. brochures, videos etc has also been prepared for distribution worldwide.
- Additional bilingual staff have been appointed by the Department of Education, Training and Employment to specifically address the complex market of China.
- All universities are participating in the new China recruiting strategy and guaranteeing a place for international students upon completion of their secondary schooling [provided the student meets prerequisite scores].
- New products and services have been added to the range of services normally offered. These include study tours and study abroad programs. Such programs are designed as a first hand experience of the Adelaide environment and its education capabilities. Many students are expected to return to complete formal awards.
- The Department of Education, Training and Employment is placing teachers offshore to deliver specialised pre-departure programs for students intending to study in Adelaide. Thirty six enrolments have resulted from this program to date and a further forty eight are currently being processed.
- The marketing address has also been widened with activities occurring in Germany and South America in addition to the more traditional Asian markets.
- New bilingual marketing material and an increasing use of the internet and web sites are in place.
- All officers connected with the marketing drive are conscious of the need to recruit additional students to Adelaide and contribute to the macro economy of South Australia.

The international education market is an aggressive, commercial market. Competition is fierce from USA, United Kingdom, Canada, and now the Asian markets themselves. Many countries have recognised the macro economy contributions arising from this revenue source and are subsidising many activities. They have engaged in large trade and tourism activities and considerable political lobbying to promote their respective countries.

Australia is recognised as a safe, friendly caring environment with very competitive prices both for tuition fees and costs of living. Similar fee structures exist for all education sectors across Australia and so the competitive advantages of location and environment become very important in the selling and recruiting process.

The challenge on all concerned is the general promotion of Adelaide as an education destination.

The Department of Education, Training and Employment reports a 24 per cent increase in overseas secondary school student enrolment for 1999 [as compared to 1998] and is pursuing a 50 per cent increase for year 2000.

### REGIONAL TASK FORCE

In reply to **Hon. T.G. ROBERTS** (2 June 1999).

**The Hon. R.I. LUCAS:** The Deputy Premier, Minister for Primary Industries and Resources, and Minister for Regional Development has provided the following information:

The State and Federal Governments are committed to improving the quality of life and revitalising regional South Australia. Since this question has been asked both Governments have demonstrated a range of delivery mechanisms that are available for major infrastructure projects in disadvantaged areas such as the Upper Spencer Gulf.

The State Government has released its response to the Regional Development Task Force and many of the report's recommendations are being implemented.

For example, the State Government has established new arrangements including:

- Minister for Regional Development with responsibility for advocacy for regional issues across State Government agencies and between levels of government.
- Office of Regional Development to support the Minister and provide advice on strategic issues and promote a whole of government approach to regional development.
- Regional Development Council including key Ministers to advocate for regions on issues and represent views and cross regional issues to government.
- Regional Development Issues Group comprising Senior Officials from State Government agencies to complement the Council by responding to issues it raises.

The State Government has also established a \$13.5 million Regional Development Infrastructure Fund over three years to promote the development of regional infrastructure to encourage economic development within regional South Australia.

The State Government has demonstrated its commitment to support the development of the Upper Spencer Gulf program for rejuvenation by providing:

- \$150 million towards the cost of developing the Alice Springs to Darwin link;
- \$1.2 million to establish a South Australian Rail Task Force to promote and maximise business and employment opportunities arising from the Australasia Railway Project;
- \$50 000 to the Upper Spencer Gulf Common Purpose Group to enable high level strategic planning and partnership efforts to be facilitated;
- \$20 000 to investigate the potential for industry clusters in the Upper Spencer Gulf;
- 50 per cent funding for a Graduate Officer from the Department of Industry and Trade to work with the Common Purpose Group and its implementation team.

The Federal Government has shown its commitment to regional infrastructure through its Regional Australia strategy. A good example of Federal policies which are explicitly regional in their intent includes the Networking the Nation Program with \$464 million available through the Regional Telecommunications Infrastructure Fund arising from the sale of Telstra.

In addition, the direct role of some of the Commonwealth Government agencies in targeted initiatives such as Transport and Regional Services and the Department of Education, Employment, Training and Youth Affairs are relevant in facilitating development in disadvantaged areas. For example, during 1999 the Federal Government hosted a trial forum in Whyalla under the Regional Forums Australia Program, which brought together representatives across Federal, State and Local Governments, business and the community to discuss the future development of the region. As a result of the Forum the Federal Government has committed to providing:

- A case manager in Canberra (for a trial period) to be the first point of contact for the Spencer Gulf community;
- Funding for an Austrade Tradestart/Export Access Office;
- Placement of an Invest Australia Officer in the Upper Spencer Gulf for six months;
- \$165 000 in federal funding under the Regional Assistance Program.

As outlined here there are a range of Commonwealth and State delivery mechanisms available to facilitate the development of major infrastructure projects within regional areas of the State. With the establishment of the new governance arrangements by the State Government particularly the Office of Regional Development and the Regional Development Council it is expected there will be a greater emphasis on developing a coordinated government approach to regional development in South Australia.

### CELLULAR TELEPHONES

In reply to **Hon. T.G. ROBERTS** (28 October 1999).

**The Hon. R.I. LUCAS:** The Minister for Human Services has provided the following information:

The Radiation Protection Branch of the Department of Human Services (DHS) keeps under review the findings of Australian and overseas research into possible health effects of exposure to various forms of radiation, including radio-frequency (RF) radiation emitted by mobile telephones. The Radiation Protection Branch provides advice to the public via printed information bulletins, telephone enquiries and a website.

The newspaper article to which the Honourable Member referred listed a number of findings from studies suggesting an association between brain and other cancers and the use of mobile telephones. The article and its source of information did not specify the studies from which the findings were derived, and it is therefore difficult to comment on their validity.

The DHS considers that when all of the peer reviewed and published studies are taken into consideration, it has not been established that there are any adverse health effects to humans from exposure to the RF radiation from mobile telephones. This opinion is consistent with that of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

However, it is recognised that gaps exist in the scientific knowledge regarding the effects of exposure to RF radiation on human health. To address this problem, the World Health Organisation (WHO) established the International EMF Project in 1996. The EMF Project, in collaboration with international organisations, is pooling resources and knowledge concerning effects of exposure to RF radiation and other electromagnetic fields (EMFs). In Australia, the Federal Government has committed over \$4 million for research into, and public information about, health issues associated with communications devices and equipment. Over \$1 million of this funding has been directed to studies being undertaken in Adelaide.

While scientific research to date has not established that there is a risk of cancer attributable to the use of mobile telephones, users of mobile telephones can reduce RF radiation exposure to the head by:

- using a hands-free set;
- limiting the duration of calls on a mobile telephone, or
- using a mobile telephone which does not have the antenna in the handset.

### GAMING MACHINES

In reply to **Hon. NICK XENOPHON** (21 October 1999).

**The Hon. R.I. LUCAS:** Neither the Government nor I have denied that there are problem gamblers and that a number of them have gambling problems associated with the use of gaming machines. It is also clear that problem gamblers adversely impact upon their families and a range of others in the community.

The Productivity Commission has provided an estimate of the extent of problem gambling using a range of measures. Aside from the Commission's own qualifications on the data, the Member should be aware there have been a number of different estimates of the extent of problem gambling.

The Government is naturally concerned with the impact of problem gambling and, as the Honourable Member is aware, problem gambling assistance is in place through the Gamblers' Rehabilitation Fund and the Charitable and Social Welfare Fund.

The extent of assistance for problem gamblers and their families is an issue that the Government is constantly addressing in the context of spending priorities on other public services. I point out that in response to Parliament's Social Development Committee Gambling Inquiry Report, the Government states that it:

'is sympathetic to the view that increased resources should be provided to the Gamblers' Rehabilitation Fund. The Government will consider the level of increased funding in the preparation of the 2000-01 Budget'.

### PORT ADELAIDE FLOWER FARM

In reply to **Hon. T.G. CAMERON** (20 October 1999).

**The Hon. R.I. LUCAS:** The Auditor-General has provided the following information:

1. As previously advised the cost of the Auditor-General's investigation of the Port Adelaide Flower Farm to the taxpayers in South Australia was \$446,000 (actual \$445,559).

2. As is the practice in many Departments and Statutory Authorities within the Government of South Australia, senior staff undertake additional work commitments to enable the work to be done. Such work is undertaken in their own time and without cost to the taxpayer. Neither the Auditor-General nor other senior staff members in his Department maintain records of their own time that is spent on undertaking additional work after hours and on weekends.

3. I am not aware of any comparable investigation of a corporate body undertaken by any authority in any jurisdiction in Australia in the past 20 years that encompassed terms of reference comparable to that of the Port Adelaide Flower Farm that has been produced at a lesser cost than the \$445,559 that is the actual cost associated with this investigation.

4. There were a number of factors associated with this particular inquiry that created a complication including the fact that there were inadequate arrangements for the retention of accounting and other records by the then Port Adelaide Council regarding the Flower Farm for the several years of its operation.

Furthermore, numerous relevant records were maintained at Gosford in New South Wales, copies of which should have been retained in South Australia by the then Port Adelaide Council, but were not available in this State. With respect to records maintained in New South Wales, such records were not voluntarily made available to the inquiry. It was necessary to seek orders from the South Australian Supreme Court pursuant to the Service and Execution of Process Act (Commonwealth) directed to the person holding those records before they were produced at Gosford in New South Wales, for the purpose of the inquiry.

### HINDMARSH SOCCER STADIUM

In reply to **Hon. J.F. STEFANI** (9 November 1999).

**The Hon. R.I. LUCAS:** A guarantee fee of \$2,724.11 was paid to the Government by the South Australian Soccer Federation on 24 October 1997. This amount related to the period from the inception of the loan on 30 September 1997 to 31 October 1997.

Guarantee fees of \$40,962.05 and \$44,386.16 are outstanding for the years to 31 October 1998 and 31 October 1999 respectively.

### WRONGS (DAMAGE BY AIRCRAFT) AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 10 November. Page 379.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The opposition supports the second reading and welcomes the application of strict uniform unlimited liability legislation for victims of damage by aircraft. I note that aircraft damage is defined as 'personal injury, loss of life, damage or destruction'. The Rome convention of 1952, to which this nation is a party, imposes strict liability in respect of aircraft damage while setting an upper limit.

However, the bulk of international carriers are not subject to the Rome Convention nor are aircraft operated by natural persons engaged in intrastate activities. The latter is the state's jurisdiction. The commonwealth is also about to withdraw from the Rome Convention having passed, in August 1999, the Damage by Aircraft Act 1999 and therefore repealing the original act that gave force to the convention. I presume that is what precipitated the introduction of this bill. If one examines the original justifications for the convention, one sees that it is clearly no longer necessary or desirable for Australia to belong.

In terms of the impact of the legislation on operators and consumers, I ask two simple questions: will insurance

premiums for aircraft operators increase; and, secondly, will that have an adverse effect by way of ticket price increases? I appreciate that the commonwealth has already given some thought to the first question but has any thought been given to the second question, and will prices be monitored? What has been the interstate experience, if any?

The minister states that her bill is broadly supported by the industry, which suggests that there are those who may not support it. Can she elaborate? Is it correct to say that this bill applies to a very small proportion of aircraft operating within South Australia? If this is the case, does the minister have any figures about the percentage of the industry to be affected by this bill?

My office forwarded this bill for comment to the General Aviation Association and the Civil Aviation Safety Authority, but I have not received responses from either. Did the minister have any success? The minister tabled today and gave me preliminary warning of an amendment to this legislation. The opposition has no problem with this amendment, which seeks to exclude damage arising from the operation of aircraft such as those involved in seeding, spreading fertiliser, firefighting, dispersal of pollutants and similar operations.

I understand that this amendment will make the legislation consistent with other states' damage by aircraft legislation and will also provide for the exclusion of liability for nuisance or trespass arising from the flight of an aircraft over land. I understand that the amendment has arisen because the Crown Solicitor identified a possible ambiguity in the way in which the clause was drafted. This second amendment rectifies the problem and we support the second reading.

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

#### **DISTRICT COURT (ADMINISTRATIVE AND DISCIPLINARY DIVISION) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 18 November. Page 517.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The opposition supports the second reading. The opposition appreciates that this bill is largely of a technical nature and represents an attempt by the government to streamline procedures for people wanting to lodge an appeal against a decision of government, a notion I wholly support. However, as we all know, it is often the technicalities that can cause problems for people, although originally intended to do just the opposite. I understand that when this bill was originally introduced during the last session it caused quite a bit of concern for organisations at the coalface, such as the Office of the Public Advocate and the Law Society.

Since that time I appreciate that the bill has been reintroduced in an amended form in recognition of the concerns expressed. Without getting into the detail, I believe that the Law Society's comments sum up the general view, as follows:

The society supports greater access by those aggrieved by administrative decisions to a merits review system but is concerned that the proposed amendments will hamper such access rather than enhance it.

Does the Attorney have any comment in response? I trust that the Attorney was similarly aware of the society's concerns and that they now have been addressed to the society's

satisfaction. Finally, I also note the Office of the Public Advocate's support for the Attorney's proposed changes regarding the use of assessors. The Attorney has tabled today an amendment to this bill about which I am seeking some advice from my colleague in another place, the shadow Attorney-General. Subject to his approval of that amendment, the opposition has no problem with this bill's passage.

**The Hon. CAROLINE SCHAEFER** secured the adjournment of the debate.

#### **ROAD TRAFFIC (MISCELLANEOUS NO. 2) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 18 November. Page 563.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The opposition supports the second reading and welcomes the opportunity to make working conditions safer for our emergency services workers. I understand that the proposed legislation requires drivers to slow down to a speed no greater than 40 kilometres per hour when passing a stationary emergency vehicle displaying a flashing blue or red light. Presumably, this means that there will be circumstances in which a lesser speed may be required. If that is the case, how will drivers be notified about lesser speed? Could the minister please indicate what procedures will be in place to notify drivers that the speed required is less than 40 kilometres per hour? Will that be by way of a sign at the scene of an accident or emergency? Perhaps the minister could provide the Council with details of that.

I appreciate that this legislation has emerged from recommendations of a government working party which comprised representatives of our emergency services. Will the minister advise when the working party was convened and was union comment sought at the time? Secondly, the minister suggests that other recommendations of the working party will be accommodated through existing administrative provisions of the Australian Road Rules, unlike the legislation with which we are dealing.

Will the minister indicate the other safety provisions highlighted by the working party and have they already been implemented? Is there a reason why South Australia is the only state thus far to proceed with this legislation? How will this legislation be enforced? Will there be penalties and will there be a moratorium period to allow the motoring public to become familiar with this situation? Quite frankly, I would have thought that most sensible motorists, seeing flashing lights, be they blue or red lights, but particularly blue lights, would tend to slow down. However, if there is a penalty provision, one needs to know how to proceed in this matter.

Both the Police Association and the RAA have written to me in support of the legislation, although the RAA has concerns regarding the definition of 'median strip' and accordingly suggests the following amendment:

... the association believes the bill should be amended to make it clear that the application of subsection (1) does not apply if the emergency vehicle and the person referred to in subsection (1) are separated by a structured median, but does have effect if the median strip is of the painted variety.

Does the minister have a comment in response? Will the minister consider reporting to parliament within six months of the commencement of the legislation on issues associated with its implementation? Finally, I trust that a public



awareness campaign has been prepared to assist road users in the lead-up to the commencement of the safety provision. As I indicated earlier, I hope that all road users would be cautious when approaching red flashing lights in particular. I must say that, although it has nothing to do with this bill, I am often appalled at the behaviour of motorists on the road when an emergency vehicle is clearly trying to speed to an accident or to rush someone to hospital. Some motorists seem to disregard flashing lights. I hope that these provisions will make the motoring public a little more aware of emergency situations.

**The Hon. SANDRA KANCK:** This is a peculiar bill. I have held the transport portfolio on behalf of the Democrats for more than six years and, in that time, I have never had anybody write to me, phone me, fax me or email me about an issue like this, so I really wonder where it has come from. I am aware of nothing that says or shows that drivers act irresponsibly or are driving too fast. I am not aware of cases where emergency services personnel have been endangered. In fact, to the contrary, where there has been a motor vehicle incident or where there is a fire and there are flashing lights, my experience is that people slow down to about 5 or 10 km/h because they are curious to see what is occurring.

I am also concerned about this because I frequently see motorists, usually young drivers and often with a P plate or an old car, who have been pulled over to the side of the road by a police patrol, and very often the light on the police vehicle keeps flashing while the officers get out of the car, go over to the driver and inspect the car, check the licence, book the driver, or whatever they do. I wonder whether it is a deliberately intimidatory approach that the police adopt to draw attention to the fact that these young drivers have been pulled over. It is done perhaps to create maximum embarrassment.

As recently as last Sunday night, I saw a police vehicle at Elizabeth that had pulled over a young driver and the light had been left flashing. I cannot see why cars travelling in an 80 km/h zone, as was the case that night, should have to travel at 40 km/h because the police have left the light flashing on the police car, either to intimidate or accidentally. I ask the minister to provide some detailed information as to what has caused this piece of legislation to be introduced because I will have to be convinced as to its need before the Democrats will be prepared to support it. At this stage, I indicate support for the second reading so that we can progress to the point at least of hearing from the minister why the legislation is before us and, at that point, the Democrats will decide whether or not to support it.

**The Hon. J.S.L. DAWKINS:** I will respond to some of the concerns of the Hon. Sandra Kanck. The primary purpose of this amendment is to address the concerns of emergency service personnel, many of whom are volunteers, with regard to the speed at which vehicles travel past emergency incidents on our roads. As the Leader of the Opposition mentioned, a government working party comprising representatives of the Metropolitan Fire Service, Country Fire Service, State Emergency Service, South Australian Ambulance Service, St John Ambulance and the South Australia Police examined the operational needs of emergency services with specific reference to the safety of their personnel.

Other members and I have been involved in volunteer work with organisations such as CFS and, while that work largely involves addressing fire problems, increasingly it

involves dealing with accidents on busy roads. I indicate to the Hon. Sandra Kanck that there is a problem in some cases. Many motorists do the right thing, and I am pleased to say that, but in many cases people do not use their common sense and they speed past a group of volunteers who are working very close to the road. In some cases, they are not volunteers, they are paid employees, but I do not think that should make any difference.

**The Hon. T. Crothers:** People have been hit in the past.

**The Hon. J.S.L. DAWKINS:** I am not sure about the accuracy of the Hon. Trevor Crothers' comment that some volunteers have been hit but it would not surprise me. The proposition is that it will be obligatory for a driver to slow down to a safe speed and, in any event, to a speed no greater than 40 km/h when passing a stationary emergency vehicle displaying a red or blue flashing light. It should be noted that 'emergency vehicle' includes a police vehicle. Police often attend emergency incidents and require the same protection as the people whom I have just spoken about. The provisions for a safe speed will apply in situations where there is very limited road space for vehicles to manoeuvre through an emergency site and a very low speed is justified. In other circumstances, a speed of up to 40 km/h can be travelled without compromising the safety of people working on or near the roadway.

I understand that South Australia is the only jurisdiction to proceed with this measure, which was not adopted by the Australian road rules group. I commend the government and the Minister for Transport for taking up this option because, as I said, I have personal experience of working on the side of the road, and, when you are standing there and a vehicle is going past at even 40 km/h, that is plenty fast enough. I commend the minister for this bill and give it my full support.

**The Hon. CAROLINE SCHAEFER** secured the adjournment of the debate.

#### SUMMARY OFFENCES (SEARCHES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 November. Page 515.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The opposition has some reservations about this bill. Although parliament did not have the opportunity to debate the original version of the bill, I was pleased to see it taken back to the drawing board. Despite that, I am not fully satisfied about the safeguards and provisions of the bill. I note the Attorney's comments regarding the level of consultation that has taken place since the bill was introduced in August. However, I am puzzled as to why consultation did not take place before the bill was introduced.

I support the sentiments expressed by the Attorney regarding the need for appropriate and clear body search provisions. This is a complex area of public policy for both the subject of the search as well as those undertaking the search. It is vital that the legislation is unambiguous and not open to interpretation. In its more recent submission on this bill, I note that the Law Society remains largely unhappy with the government's revised bill. The Law Society makes three further points in support of its original submission, which I would like to read into *Hansard*. The letter, which is dated 3 March 2000, states:

First, members of the police force of widely varying experience will carry out the process of extended searches which are apparently mandated by the black and white words of the proposed legislation.

It seems unlikely in the extreme that even the most experienced of those members will, despite the apparent width of the legislative mandate, take it upon themselves to limit the apparent increase in their powers by actively advertising to the unwritten common law restrictions which are nowhere expressed in the act.

Further, it is hardly likely that they would be aware of, much less carefully and actively address, the matters referred to by the Attorney in the middle paragraph at paragraph 2, namely:

... but the circumstances of the case will need to justify the intimate or intrusive procedure. I agree that the power to conduct searches is a limited one, and that the courts will guard against abuse zealously. Nevertheless, I submit that the power to conduct an intrusive or intimate search in appropriate circumstances exists at common law and the bill does not change this position. . .

With respect, what the Attorney appears to say here is that unlawful or illegal actions (either knowing or unknowing so) will just have to be sorted out later in the courts.

In many cases this will present cold comfort to the citizen whose rights have been trampled—and quite likely by a constable who erroneously believed that he had the power to do just that, being completely oblivious of the common law restrictions on the apparently very wide words of the statute.

Secondly, it is quite unrealistic to expect that members of the police force will either be aware of the distinction postulated at paragraph 3.1 of the Attorney's letter or be abstemious in relation to its implementation, namely:

The question of whether a procedure is a forensic procedure or a search will largely be determined according to the reason for performing the procedure. For example, requiring a person in lawful custody to remove his or her clothing in pursuit of the discovery of bruising, scratches or other marks to be photographed, analysed and used in evidence is likely to be classified as a forensic procedure. By comparison, requiring a person in lawful custody to remove his or her clothing in an effort to uncover concealed or secreted drugs is likely to be categorised as a search.

Again, it seems the rationale is that it will just have to be sorted out later in the courts.

Thirdly, we observe that none of the concerns set out in the letter from the Aboriginal Legal Rights Movement—which formed a schedule to the original submission and with which we agree—have been acknowledged or addressed in either the letter from the Attorney or the revised bill.

In summary, we would submit that where, as here, a power set out in an apparent broad form, the common law limitations on the exercise of that power should also be referred to lest it present a trap for all concerned.

The New Revised Bill.

Finally, we have received a copy of the new revised bill. As the legislative report attached thereto makes clear, there are only two revisions that have been made. These relate to the playing of video recordings and subsequent destruction of video recordings of intimate searches. We support both revisions.

It seems that there are some conflicting views here, and I wonder whether the Attorney would care to comment on them.

Finally, I refer to the difficulty that the opposition has with video recording. The law has not, in the past, required a third party to be present for non-intrusive intimate searches. It is not now proposed to have such a person present. What the government intends is that intimate searches be videotaped and that strict controls be imposed on the storage and playing of such videotapes.

The government says that this is necessary for the protection of both parties to a body search. The Attorney-General says that allegations may be raised against the police after a body search is completed and it will be helpful to have a videotape available by which the allegations may be tested. The government says that videotaping will avoid the need for more people to attend a search, but in my opinion more witnesses at a search is preferable to a video recording. In

committee, we will certainly move to delete the provisions for video recording and the consequential provisions.

The opposition is still concerned about this issue. We would invite the government to introduce an amendment that will require an independent witness to be present at an intimate search in all but the most urgent cases. Police already video intimate searches with an arrested person's consent. The government says that it has the support of the Police Complaints Authority for this change. A person arrested may veto the video recording of an intimate intrusive search; this is because an independent person will be present at the search, namely, a registered nurse or a medical practitioner. With those reservations, we support the second reading.

**The Hon. L.H. DAVIS** secured the adjournment of the debate.

### YOUNG OFFENDERS (PUBLICATION OF INFORMATION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 November. Page 515.)

**The Hon. CAROLYN PICKLES (Leader of the Opposition):** The opposition does not support the second reading of the bill which proposes, in strict circumstances, the publication of a young offender's identity. The existing provisions of the Young Offenders Act prevent such publication, and I think for a very good reason. For example, a person must not publish a report of any action taken against a youth by a police officer or family confection if it identifies a youth, the victim or any other person; nor can the person employed in the administration of the act divulge information about a youth.

The opposition does not support the erosion of these provisions because, in our view, they undermine an important principal, and that is the protection of young people at a time when they are most vulnerable. As the Attorney identifies, there are very good reasons for keeping a youth's identity confidential. Most young offenders commit minor offences, and the majority of these youths do not re-offend. We all know that the publication of a young offender's identity would do nothing to assist their progress in the community.

Although the Attorney has highlighted the circumstances in which the current provision did not suit a particular youth, I believe it fails to make a compelling case for the relaxation of the protections afforded young people. For instance, can the Attorney guarantee that a youth whose identity is divulged would not be unduly influenced by the prospect of fame, as may be the case with a documentary, or perhaps influenced by the possibility of money? How can we be certain that a decision will always be made in a youth's best interest? If the Attorney's proposed legislation succeeds, how would the new provisions be monitored to prevent young people from being exploited? How will the publication of such names be monitored? Can the Attorney advise how many youths have sought to have their identity published for one reason or another?

We were sent a copy of the letter that the Youth Affairs Council of South Australia sent to the Attorney, and it, too, does not support this bill. We oppose the second reading of the bill.

**The Hon. CAROLINE SCHAEFER** secured the adjournment of the debate.

#### **PRICES (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 27 October. Page 259.)

**The Hon. CARMEL ZOLLO:** I indicate that the opposition supports the second reading of the bill. It seeks to reflect the very significant changes that have occurred since the Prices Act 1948 was first introduced and in doing so produced unnecessary bureaucracy and administration. As the Attorney points out, there was a time when all states and territories had a level of price regulation. Given the prevailing post-war circumstances, I am certain that such measures were justified at the time. However, 50 years and significant changes in the area of commerce mean that the Competition Principles Agreement has caught up with the somewhat outdated requirements contained in the Prices Act 1948.

Staff of the Office of Consumer and Business Affairs conducted a review of the Prices Act to ensure that the latter complies with the competition principles established by COAG in 1995. For example, the act enables the minister to issue a prices order in relation to goods and services. However, only four such goods and services are currently subject to such a provision. I agree with the retention of the act and, in particular, its importance as a reserve power. The benefits which flow from its retention should outweigh the minimal administrative costs of the operation of the act. The opposition supports the second reading.

**The Hon. IAN GILFILLAN:** I indicate the Democrats' support for the bill. The Prices Act 1948 is a little used piece of legislation which, in theory, is administered by the Commissioner for Consumer Affairs. However, reading through the commissioner's annual report I see no evidence that the act was relied upon for any of the commissioner's activities in 1998-99.

None of the regulatory or disciplinary activities of the commissioner in that year relied for their authority on the Prices Act. From the Attorney's second reading explanation I deduce that other more effective methods of consumer protection, such as the Fair Trading Act, the Trade Practices Act and others, have overtaken the Prices Act and rendered it largely, if not totally, redundant.

I note that other states have repealed similar post-war legislation, and I wonder therefore whether we need to retain the Prices Act 1948 at all. The act was designed originally to control profiteering after World War II. It institutes two mechanisms for doing this: first, a system of declared goods and services, which are declared under proclamation pursuant to section 19; and, secondly, a system of making orders by the minister to fix maximum prices in respect of declared goods and services pursuant to sections 21 and 24.

The Attorney has advised that at present there are in excess of 50 declared goods and services under section 19, yet there are only four types of goods and services that are subject to price control under sections 21 and 24. Those four are: infant and invalid foods, medical services, tow truck services and freight charges.

The object of this bill is to eliminate the unnecessary paperwork involved in respect of declared goods and services. It seems to me that the objects of this bill could have been achieved without troubling the parliament at all. What

has stopped the government from merely revoking the declarations which apply to the 46 or more different goods and services which are not subject to price control? Why keep a declaration in force if there is no need to fix prices for such goods or services? Why has the government maintained this administrative burden on South Australian business for so long for no apparent reason?

I suspect that the likely answer is that the legislation has probably not been enforced for many years and that the legislative requirement to keep records of declared goods and services is simply ignored. It is unfortunate that reviewing and removing antiquated red tape is such a low priority for this government. These anachronistic declarations and record-keeping burdens are being removed now only because COAG drew attention to them, not because of the initiative of this government. Even with the prompting of COAG it has taken the best part of five years since the COAG agreements of 1995 for the government to introduce this legislation when it could have revoked declarations under the Prices Act at any time.

I wonder whether there are any law-abiding small business people who have been faithfully keeping the records required under the Prices Act in respect of declared goods or services. If so, they will not be amused to learn that it has taken the government so long to realise that their record-keeping efforts are not required and that they serve no useful public purpose. However, the Democrats support the second reading of the bill.

**The Hon. CAROLINE SCHAEFER** secured the adjournment of the debate.

#### **DISTRICT COURT (ADMINISTRATIVE AND DISCIPLINARY DIVISION) AMENDMENT BILL**

Adjourned debate on second reading (resumed on motion).  
(Continued from page 680.)

**The Hon. IAN GILFILLAN:** The Democrats support the second reading of this bill. It sets up a generic appeals process in the District Court Act. Each of 47 acts is to be amended so that the new division 2, part 6 of the District Court Act will apply to them all—in effect a 'one size fits all' type of appeal process.

The Attorney-General says that this bill is 'of a technical nature. It does not seek to change or cut down the right to appeal against certain administrative decisions.' However, that does not mean that the changes would make no difference to the substantive rights of parties in a particular dispute. The new generic appeal process proposed for the District Court Act provides in proposed section 42D(3) that the appeal is to be conducted by way of a fresh hearing and for that purpose the court may receive evidence; the court is not to be bound by rules of evidence but may inform itself as it sees fit; the court must act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms; and the court must give due weight to the decision being appealed against and the reasons for it and not depart from the decision except for cogent reasons.

There is nothing like that at present in, say, the Police Act 1998 or the Police (Complaints and Disciplinary Proceedings) Act 1985, to take just two random examples. So, those provisions could make a substantial difference to a future appeal involving a police disciplinary matter.

However, the Police Association has resolved to make no representations on this bill. We have that in direct communication from the association. I presume that that is because it is probably impossible to predict which party to any future dispute will be advantaged by the change.

The Public Advocate, John Harley, expressed serious reservations about the earlier version of this bill. He wrote to me on 29 September 1999 with a comprehensive submission on the original version and the way it affected appeals under the Guardianship and Administration Act 1993. A copy of the same letter, I understand, was also forwarded to the Attorney-General. Mr Harley told my office that he had had no consultation with the Attorney-General in relation to the original bill and that as late as Friday 24 March had had no response to his letter, which surprised me. Perhaps it should not have surprised me but it did. However, he assured me that his concerns have been addressed in this newer version of the bill and that he now sees no objection to the bill proceeding.

The Law Society's Administrative Law Committee expresses a number of concerns in relation to appeals under two of the affected acts: the Guardianship and Administration Act 1993 and the Mental Health Act 1993. A letter from the society of 20 September 1999—and to an extent I paraphrase—states:

The requirement that the appeal be a 'fresh hearing'... will necessarily lengthen the hearing process and increase preparation time. The requirement that the court not be bound by rules of evidence may make hearings more complex, requiring additional medical and other expert evidence. Guardianship and mental health clients who experience difficulties in court hearings will therefore find their difficulties exacerbated. This would be therapeutically counterproductive and disruptive. This in turn leads to questions of cost both for the court and in the health area.

The Law Society's submission draws a distinction between the bill's use of a 'fresh hearing' and the alternative *de novo* hearing which it prefers. It considers that, in practice, a fresh hearing would become a *de novo* hearing. If so, that seems to undermine the society's objections. For my part I find it hard to understand the difference. In fact, on consulting the *Concise Oxford Dictionary* I find that there does not appear to be any difference. So, it is a somewhat vague, indeterminate distinction which, in my view, is being drawn by the Law Society between a fresh hearing and a *de novo* hearing. Perhaps in his reply or in the committee stage the Attorney will elucidate the difference for us as lay members of the public.

I hope that the Attorney-General will respond to the points raised by the Law Society. For my part, despite the society's objections I am inclined to view the amendments as a real attempt to simplify the law. If the Law Society is correct that the changes place an extra burden on mental health or guardianship clients during a hearing, one must also consider the other intended effects of the changes. They are designed to aid the court to reach justice in individual cases unrestricted by legal forms and technicalities where it does not already have such power. Those decisions may affect clients for the rest of their lives. That seems to me to be sufficient reason to support a generic appeal type process such as this. For that reason, the Democrats support the second reading of the bill.

**The Hon. L.H. DAVIS** secured the adjournment of the debate.

#### **TRANSPLANTATION AND ANATOMY (CONSENT TO BLOOD DONATION) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 16 November. Page 435.)

**The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning):** I thank honourable members for speaking to this bill in November. Questions were asked by the Hon. Carmel Zollo on behalf of the Labor Party about facilities in the country, and I advise that the Red Cross closed its donor services in major regional areas in November 1995—those areas being Port Lincoln, Whyalla, Berri, the Riverland and Mount Gambier. However, the blood banks remain open, ensuring that there is no compromise to the supply of blood and/or blood products to these regions. The donor services and/or centres have been replaced by a mobile service that collects blood in country areas within a 300 kilometre radius of Adelaide. The mobile service visits a different area every month of the year. These areas include York Peninsula, Port Pirie, Jamestown, Clare, Burra, the Riverland—all towns—Meningie, Murray Bridge, Mannum, Victor Harbor, Strathalbyn, Gawler and the Barossa Valley. The reason for restricting the mobile service to a 300 kilometre radius is the time it takes for the blood to be transported to Adelaide for processing. Once the distance is extended and the time taken to transport the blood increases, the number of different blood products that can be produced decreases.

The mobile service also services the Adelaide metropolitan area. Country donors are always welcome to donate at the Pirie Street centre when in Adelaide. In terms of the questions raised by the Hon. Sandra Kanck, who sought more details about the proposed education program, I advise that the change in the legislation provides the blood service with an opportunity to raise awareness with the school sector and build relationships with potential donors for the rest of their lives. It is envisaged that initially the blood service may make written contact with schools when the legislation has been passed, hoping to obtain coverage in school newsletters and to raise general awareness of the issue and its importance to the community. This will be followed up with posters and other literature to be posted in schools. Efforts would initially be concentrated primarily on targeting and recruiting schools into the youth donor program which are located in reasonably close proximity to the Pirie Street centre. However, Red Cross will also be moving towards establishing a mobile school visit program in the future.

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

#### **ADJOURNMENT**

At 6.10 p.m. the Council adjourned until Wednesday 29 March at 2.15 p.m.