

## LEGISLATIVE COUNCIL

Tuesday 4 June 2002

The **PRESIDENT (Hon. R.R. Roberts)** took the chair at 2.15 p.m. and read prayers.

### NATURAL RESOURCES COUNCIL

The **Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation)**: I table a ministerial statement from the Minister for Environment and Conservation (Hon. John Hill) on the establishment of the Natural Resources Council and the appointment of Mr Dennis Mutton as chairperson.

### VISITORS TO PARLIAMENT

The **PRESIDENT**: I draw to members' attention the presence today of students from Seymour College, with their teacher Bianca Ludvitsen, as part of their educational studies into the parliamentary system. We hope that you find your visit both inspirational and educational.

## QUESTION TIME

### SHOP THEFT

The **Hon. R.D. LAWSON**: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Attorney-General, a question about the shop theft infringement notice scheme.

Leave granted.

The **Hon. R.D. LAWSON**: Last November the then attorney-general announced the new shop theft infringement notice scheme for dealing with shoplifters in cases involving less than \$150. I used the expression 'shoplifters'; I should have used the expression 'shop stealers'. The essence of the scheme was that police were given the power to issue a shop stealing infringement notice resulting in an on-the-spot caution in cases involving goods worth less than \$30.

The notice would require the offender to make a formal apology and immediate restitution for the goods taken. For goods worth between \$30 and \$150, the offender would have to attend a police station within 48 hours where the sergeant could order restitution and impose a community service order equivalent to one hour for every \$5 value of the goods, and at any stage of this diversion process the alleged offender could elect to go to court.

The scheme was developed in consultation with the Retail Industry Crime Prevention Advisory Committee, at which time it was warmly supported by the Australian Retailers Association and other bodies. One of the great benefits of the scheme was its potential to reduce the clogging up of the magistrates courts with offences of this kind.

It was reported last week that only 100 shop stealers had been dealt with since November using the shop theft infringement notice, and a number of comments were attributed to the Australian Retailers Association and some retailers suggesting that the scheme was not meeting its objectives, although the police assistant commissioner in charge of the scheme commended the initiative. My questions to the Attorney-General are:

1. Is the government committed to the continued implementation of this scheme or is it keen to kill it?
2. What steps will the government take to promote the scheme and to ensure that it is used to its full effect?
3. When will the scheme be formally evaluated and by whom?
4. Can the community have an assurance that this scheme will be appropriately trialled and, if insufficient resources are presently devoted to it, will additional resources be allocated?

The **Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation)**: I will refer those important questions to the Attorney-General in another place and bring back a reply.

### REGIONAL DEVELOPMENT

The **Hon. CAROLINE SCHAEFER**: My questions are directed to the Minister for Regional Affairs. Given the announcement of a review into regional development boards:

1. Who is on the committee conducting the review?
2. Who is the chair of the committee?
3. Is there anyone on the committee who is not paid by the government, either directly or indirectly?
4. What are the terms of reference of the committee?
5. When will it report?
6. When, if at all, can the Regional Development Council or its issues group expect to meet?

The **Hon. T.G. ROBERTS (Minister for Regional Affairs)**: The reference to restructuring or to any changes to the responsibilities of the economic development boards is not in relation to their form and structure. It is as to where their responsibilities will lie and under what minister they will be placed. That is the question that is turning the government's mind in respect of changes to the role of the economic development boards. I have met with representatives of the economic development boards to discuss their fears in relation to the new structure that we are setting up for economic development boards under the new CEO, Robert de Crespigny—

The **Hon. Diana Laidlaw**: He likes to be called Champion de Crespigny these days.

The **Hon. T.G. ROBERTS**: Robert Champion de Crespigny. The economic development boards feared that they may be left out of the loop if there were any significant changes to the structures at an executive level. They also wanted to know how the Department of Industry and Trade would fit into that structure.

The questions in relation to who, what, why, where and when do not become relevant to any changes to the role and function of the bodies: as I said, where they fit into the new Regional Affairs Office I think is the \$64 question. Those matters are being worked through by the government, and they will be a part of the budget processes, so I am unable to comment. I have been able to assure the economic development boards that they will have an important role and function within regional development—as will local government and many of the other bodies that are associated with regional development, excluding the Regional Affairs Office.

The Regional Affairs Office has not met as yet (it was not a body that met regularly; I think it met twice a year, or thereabouts). It is a body made up of representatives of a whole range of community-based organisations, including local government, that play a role in policy formulation and implementation. So, while we are restructuring, there has been some discussion as to whether there will be a future role

and function for that body. I suspect that that answer will be in the negative, but the same people who sit on that body and who have been valuable contributors to regional development over the period under the previous government will be given opportunities to contribute to policy formulation and to prioritising regional development policies after our restructuring is completed. Is that the sum total of the questions the member asked?

**The Hon. Caroline Schaefer:** The minister just said that my questions are irrelevant—that how, when, where and why is irrelevant. The minister has not answered that part.

**The Hon. T.G. ROBERTS:** No restructuring of the economic development boards is being done. They will remain as is. As I said, it is a matter of whose responsibility that will be—whether they will come under state economic development or regional economic development. I suspect that, at the end of the day, they will come under the Regional Affairs Office. We are trying to integrate the resources that operate at a regional level to a point where we get maximum cooperation and less overlay of responsibility within the regional affairs portfolio.

**The Hon. CAROLINE SCHAEFER:** Mr President, I rise on a point of order. I seek your assistance, sir. Can a minister refuse to answer a question on the ground of irrelevance?

**The PRESIDENT:** A minister can answer a question in almost any form they like. You have the facility to ask your question and a minister can answer the question or not answer the question. Unfortunately, that is the situation that we are faced with.

**The Hon. J.S.L. DAWKINS:** Sir, I have a supplementary question. Has the minister met with Regional Development SA, which is the peak body of regional development boards, and is he aware that Regional Development SA is represented on the Regional Development Council, which meets three to four times a year?

**The Hon. T.G. ROBERTS:** I have not met officially with that body, but I have met with individuals who comprise that body. I think the Premier had a meeting early in our period of government, but I think that was at an informal level as well. The questions about the economic development boards relate to the fear that those boards have that they will become irrelevant under any new structure. I can confirm that they will not become irrelevant. They will be an important part of a restructured Regional Affairs Office and will play, as they have and are playing now, an important part of regional development through the expertise they have developed over time. There will be some nervousness as the contracts start to run out as to what their new role and function will be.

I have been given assurances that letters will be written to the economic development boards saying that their funding will continue. I cannot produce any documentation to that effect, but the important point is that the economic development boards will not be dismantled, that they will have a role and function and, along with local government and other development bodies within the Regional Affairs Office, they will play an important part.

**The Hon. CAROLINE SCHAEFER:** As a further supplementary question, my previous questions were:

1. Who is on the committee conducting the review?
2. Who is the chair of the committee?
3. Is there anyone on the committee who is not paid either directly or indirectly by the government?

4. What are the terms of reference of the committee?

5. When will it report?

Would the minister like to answer those questions now?

**The Hon. T.G. ROBERTS:** There is no formally structured review—that is the point I am making. It is a part of governance structuring. As to as the role and function of the economic development boards, there will be no internal review as to what their future will be.

**The Hon. Diana Laidlaw:** A review that is not a review!

**The Hon. T.G. ROBERTS:** Just as the previous government restructured a whole range of government departments, we are looking at lifting the profile of the Regional Affairs Office and giving it more clout and responsibility under the economic development boards as they are restructured.

*Members interjecting:*

**The PRESIDENT:** Order! I am having trouble hearing the minister.

**The Hon. T.G. ROBERTS:** The nervousness people have in relation to any change is about where they will fit under the economic development boards and the role they will play. They are the problems they have raised with me. They are not sure what their new role will be. With an overarching economic development board they are not sure where they fit, and that is being worked through now and certainly will be known after the budget has been announced.

**The Hon. CAROLINE SCHAEFER:** By way of further supplementary question, what then is the committee chaired by Phil Tyler, and consisting of Eddie Hughes, Grant King and others, doing?

**The Hon. T.G. ROBERTS:** I have in my office at the moment Phil Tyler who is doing an assessment—

**The Hon. R.I. Lucas:** ‘Fabulous’.

**The Hon. T.G. ROBERTS:** ‘Fabulous’ is there. I have been lucky enough to get the services of Phil Tyler.

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

**The Hon. T.G. ROBERTS:** He was with the LGA.

**The Hon. A.J. Redford:** Before that?

**The Hon. T.G. ROBERTS:** He was with the Whyalla Economic Development Board. He has suitable qualifications to carry out the role and functions. He has considerable understanding of regional development officers and their role and function. He has worked in the difficult area of trying to build up and maintain infrastructure in the Whyalla area. Grant King is not on any internal review process that I am aware of connected to my office. Eddie Hughes and Grant King would probably be contacted in the normal course of getting information to feed in and back to in relation to any changes that are going to be made.

The questions asked by the honourable member are important. These were the questions put to me when the process was being put together to look at the role and function of all development bodies within regions, and the economic development boards themselves were satisfied with the answers applied to them. Before budgets are brought down there is a certain amount of nervousness as to what their future will hold in relation to allocations, but I am sure that they will be happy with the new structure that we work through.

## SHOP TRADING HOURS

**The Hon. T.J. STEPHENS:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister For Industrial Relations, a question about shop trading hours.

Leave granted.

**The Hon. T.J. STEPHENS:** In a written reply to my question on the deregulation of shop trading hours on 16 May 2002, the Minister for Industrial Relations stated that the government will not conduct another review. On 21 May 2002 when the minister was asked on 5AA for his response to extended shopping hours, he said that he did not know whether the status quo was sustainable. He went on to say that he would be keen as a new minister to have discussions with all of the major players, to talk with all of the various constituencies, and to work through a whole range of issues before proceeding with any legislative or policy changes for extended shop trading hours. Given that we now have two conflicting positions, my questions are:

1. Will the minister say which position I can take to the many small businesses that are under considerable duress with regard to extended shopping hours at the moment?

2. If the minister intends to have further discussions with the major traders, when will those discussions commence, and will they take the form of a review, a committee, or yet another independent consultancy?

3. Will the minister assure the small business sector, such as owners of delicatessens and small seven-day supermarkets, that they, too, will be regarded as major players?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will convey those questions to the Minister for Industrial Relations in another place and bring back a reply.

#### DAIRY INDUSTRY

**The Hon. J. GAZZOLA:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the dairy industry.

*Members interjecting:*

**The PRESIDENT:** Order! There is too much audible conversation.

Leave granted.

**The Hon. J. GAZZOLA:** At this year's Outlook Conference, the federal Minister for Agriculture, Forestry and Fisheries launched a national program under the National Dairy Industry Resource Sustainability Plan. My question is: will the minister say what action is being taken by the South Australian government in relation to that plan?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I thank the honourable member for his important question. This morning I was pleased to attend the conference organised by the South Australian Dairy Association. I note that the Hon. Ian Gilfillan, who has a keen interest in these matters, was also there.

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

**The Hon. P. HOLLOWAY:** Well, he does have a keen interest in these issues and has had for some time. As mentioned in the question by the honourable member, a national strategy was launched by Warren Truss, the federal minister, earlier this year. That national strategy and eight regional action plans have been developed through close consultation with the dairy industry and members throughout the dairying regions of Australia. This approach recognises that, whilst the dairy industry is an important part of the national economy, its product is generated on farms in regions, catchments and communities across the nation.

I was pleased today to launch the Dairying for Tomorrow plan during the opening session of the conference. This particular strategy advocates sound environmental manage-

ment to make sure that dairy farmers experience sustainable growth and development. The Dairying for Tomorrow plan concentrates on resource management issues in an economic, financial and social context, and it acknowledges the important relationship between resource management practices and profitability. The Dairying for Tomorrow strategy highlights what government and industry can do together at both national and regional levels to assess sustainability and best management practice issues in Australia's dairy regions, to promote the broader adoption of best practice, to foster public awareness of the sound management principles already adopted by dairy farmers, and to improve sustainable production.

This strategy is a joint initiative of the Dairy Research and Development Corporation, the National Land and Water Resources Audit and the Australian Dairy Farmers Federation, and it has input from all state and territory dairy industries and the regional development programs. Major environmental issues under consideration by the dairy and other rural industries in this state include water quality and water use efficiency, improved biodiversity, and more effective and efficient use of inputs such as fertilisers and waste management. I trust that the Dairying for Tomorrow program, along with the associated regional action plan of Dairy SA for the environmental management of the dairy industry in this state, will make a worthwhile contribution to this very important primary industry.

#### EMERGENCY SERVICES ADMINISTRATION UNIT

**The Hon. IAN GILFILLAN:** I seek leave to make an explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Emergency Services, a question about the Emergency Services Administration Unit.

Leave granted.

**The Hon. IAN GILFILLAN:** Amongst many initiatives established under the previous government in the area of emergency services, the emergency services levy and the Emergency Services Administrative Unit were contentious. Last week, the Treasurer indicated that the government will increase funding to emergency services in the next financial year from \$141 million to \$156 million. This involves an extra contribution from Treasury of \$11.6 million, and from the taxpayers, through the emergency services levy, an increase of \$3.5 million, which will be achieved through an increase of the value that is rated rather than an increase in the actual rate. The pool generated by the emergency services levy has therefore been increased and, although there has been some controversy about the legality of the increase and whether it is due to an increased rate of levy, I believe that is just a smokescreen.

The role of the Emergency Services Administrative Unit (which was established by the previous government under section 7(2) of the Public Sector Management Act 1995) supposedly was to provide strategic, corporate and support services to the South Australian emergency services, including the South Australian Metropolitan Fire Service, the Country Fire Service, the State Emergency Service and others. ESAU has been accused of being bureaucratic in nature and an unnecessary burden on the emergency services. The best estimate of cost that I can obtain is that it is costing approximately \$9.7 million a year.

For the year 1998-99, the Country Fire Service spent less than \$3 million on its administration, yet in the following year it was required to pay approximately \$5.7 million as its contribution to the funding of ESAU. When members consider that that increase has done nothing to improve the administration of the CFS, they will understand why the CFS is justifiably questioning the value of ESAU. On that basis, my questions to the minister are:

1. Does the government have comparative costs of the administration by ESAU to compare with the costs of each service handling its own administration?
2. Will the government consider abolishing the unit on the basis that it is an extraordinary increase in cost with no extra service to the units and, if not, why not?
3. If so, with the money saved, would the government reduce the ESL rate?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** It is important that we place on record that, in relation to the emergency services levy, the government has announced that there will be no change in the rate for this year, and that occurs in a very difficult budget climate facing this government as a consequence of the policy of the now Leader of the Opposition in this place—the previous treasurer—not providing adequate funding in the forward estimates for a number of policies which had been announced.

In spite of that extremely difficult position, this government has been able to find some additional money from consolidated account—an extra \$11.6 million, as the honourable member pointed out—to ensure that emergency services in this state are properly funded. All members in this place appreciate the work done by the emergency services, and how important it is that those services have adequate finances. Of course there was the quite disgraceful situation that we had announced to us a few months ago (just after the change of government) when we discovered that there was yet another black hole that was left by the previous government in relation to the funding of emergency services. Of course that is exactly why the government, in this very difficult budgetary climate, has had to find money for it.

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

**The PRESIDENT:** Order! Someone will be handling you in a minute, Mr Redford.

**The Hon. P. HOLLOWAY:** If the Hon. Angus Redford is not concerned about emergency services in this state, then this government is and we will make sure that it is adequately funded. Notwithstanding that financial position, I think the questions raised by the honourable member are important and they deserve consideration by the government. I will refer the question on to the Minister for Emergency Services for his comment.

**The Hon. J.F. STEFANI:** Will the minister refer a further question to the Minister for Emergency Services and ask him to provide details of the charges that have been levied on each and every department that is being serviced by the emergency services unit, and information on the individual costs charged to each of those departments?

**The Hon. P. HOLLOWAY:** Mr President, is the honourable member referring to government departments?

**The Hon. J.F. STEFANI:** I will clarify that. Each of the units that are administered, or are receiving a charge from the administration unit, in other words, that will be the ambu-

lance, the CFS and the various units that are charged for being administered.

**The Hon. P. HOLLOWAY:** I thank the honourable member for his explanation. I am sure that will make it easier for my colleague, the Minister for Police, to provide an answer.

## YOUTH SUICIDE

**The Hon. A.L. EVANS:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Social Justice, a question concerning youth suicide in South Australia.

Leave granted.

**The Hon. A.L. EVANS:** Youth suicide is a growing problem in our state. Australia's suicide rate, especially among the young, is still among the highest in the world. Whilst the nation's youth suicide rate has fallen for the third year, tragically in South Australia it has risen. National research shows that youth suicide and depression are the most important issues to young South Australians. The government has stated that it will address the crisis of youth suicide and attempted suicide, and work with others to identify its causes and improve services to redress this. It has also stated that it will commit an extra \$2 million over four years for youth at risk of drug abuse, homelessness and suicide. My questions to the minister are:

1. Whom does the government propose to work with in addressing youth suicide?
2. Does the government have any specific strategies to reduce the rate of youth suicide within our state?
3. What steps has the government taken since its election to determine the causes of youth suicide?
4. What proportion of the \$2 million will be committed to helping youth at risk of suicide?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer those important questions to the Minister for Social Justice in another place and bring back a reply.

## PARLIAMENTARY SITTINGS

**The Hon. A.J. REDFORD:** I seek leave to make a brief explanation before asking a question of you, Mr President, concerning the topic of parliamentary sitting times.

Leave granted.

**The Hon. A.J. REDFORD:** As part of the negotiations leading up to the swearing-in of the Rann government, parliamentary sitting times became one of the issues for discussion. Indeed, I believe it was an integral part of the negotiations between the member for Hammond and the two major political parties. As a consequence, the minister responsible for government business in another place (Hon. Pat Conlon) announced that sitting times would be amended so that we would sit the same number of weeks as we have sat in the past but that we would sit four days a week instead of three, in other words, including each Monday afternoon from 2 p.m. until 6 p.m.

There were some criticisms that this had the net effect of proportionally reducing private members' time and, in our case, the opportunity to make Matter of Interest speeches. Obviously, these issues were not considered as part of the government's GTAGI management strategy—for the

uninitiated, I refer to the 'Gee, that's a good idea' management strategy.

Since then we have sat on Monday 13 May, Monday 27 May and Monday 3 June, getting up at 5.40 p.m., 4.52 p.m. and, yesterday, at 4.58 p.m., making a total of nearly eight additional sitting hours. That has put a considerable strain on the resources of this parliament, and so far the staff, Hansard and others have coped very well. However, the changes cannot and do not come without some cost—for example, increased wages of staff, such as overtime; resources, including electricity; increased phone use, etc., come to mind. Another example is the position of country members, such as the Hon. Bob Sneath, who claim a living away from home allowance, and a number of our members—

**The Hon. Diana Laidlaw:** Is he claiming a living away from home allowance?

**The Hon. A.J. REDFORD:** I assume he does, but I may be wrong. I am not criticising him when he is entitled to it. What I am saying is that those members—

**An honourable member:** Is there anybody else in here who doesn't?

**The Hon. A.J. REDFORD:** Yes, I am sorry. I apologise.

*The Hon. Diana Laidlaw interjecting:*

**The PRESIDENT:** Order!

**The Hon. A.J. REDFORD:** I am being quite genuine about this, because country members—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. A.J. REDFORD:** —have to come to the city a day earlier, and there has been no adjustment in their living away from home allowance.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. A.J. REDFORD:** I am concerned that these costs will have to be funded from existing resources in the existing budget of the parliament. Indeed, there is a real risk that the parliament will be left out of the budget process and will not participate; that would not be unprecedented. In light of that, my questions to you, Mr President, are:

1. What are the increased costs associated with these changes in sitting times, and has any work been done to assess that cost?

2. Has the parliament, through its officers, been involved in the upcoming budget in determining what will be allocated?

3. Will there be a review of country and other members' allowances to take into account the changed sitting times?

**The PRESIDENT:** I am certain that when the Treasurer and the Premier determined the revised sitting times they would have taken most of this into consideration. The fine detail of your question is too difficult for me to answer. We would probably have to look at the overall time that we sit for the year and make any judgments on that basis. However, there is certainly some room for questioning on some of the initial costs that we are facing. Clearly, when members are sitting four days a week, the point you make—that country members have to travel a day early—is valid. I will need to do some work with our officers. The members' country allowance is a matter for the Parliamentary Remuneration Tribunal, and members will have to pursue that through their own devices. But, in respect of the fine detail on the actual costs, I will refer those questions to the Treasurer and the Premier and consult with my office and bring back a reply.

**The Hon. T.G. CAMERON:** My supplementary question to you, Mr President, is: during the time frame that the Premier had discussions with the Speaker in relation to the new sitting hours, etc., did the Premier have any discussions with you as the President in regard to these matters?

**The PRESIDENT:** I think that I had not been elected as President when these arrangements were made. The compact was certainly not—

**The Hon. T.G. Cameron:** They were still trying to get Stefani into the job.

### FESTIVAL THEATRE

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for the Arts, a question about the Festival Theatre redevelopment project.

Leave granted.

**The Hon. J.F. STEFANI:** Last week, I received a reply from the minister to a question about the Festival Theatre redevelopment project. The minister confirmed that the original scheduled completion date was to be 30 June 2002. However, because of unforeseen circumstances on the site, including a large amount of buried concrete, presumably forming part of previous structures occupying the site, the expected completion date has been amended to September 2002. I know that, despite considerable cost pressures on the budget due to the latent conditions encountered during the execution of the contract, the project is said to be on budget. My questions are:

1. Can the minister advise the exact amount budgeted for the project and the value of the successful tender accepted by the government?

2. What has been the expenditure incurred to date in completing the works?

3. Can the minister inform the council whether the contract let by the government included the provision of a contingency sum?

4. If so, what was the amount of the contingency included in the tender accepted by the government?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I will refer those questions to the Premier and seek his reply.

### TRAM BARN SITE

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I table a ministerial statement made by the Premier in another place on the sale of the Victoria Square tram barn site.

### INTERNATIONAL SPACE UNIVERSITY SUMMER SESSION PROGRAM

**The Hon. CARMEL ZOLLO:** I seek leave to make an explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Tourism, a question on the 2004 International Space University Summer Session Program.

Leave granted.

**The Hon. CARMEL ZOLLO:** Recently, it has been announced that Adelaide has won the bid to host the 2004 Space University Summer Session Program. My question is: can the minister inform the council about the importance of

the 2004 International Space University Summer Session Program?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I am pleased to inform the council that South Australia has won the right to host one of the most prestigious space education events in the world. Against very tough competition from Canada, our South Australian partnership bid won the right to host the 2004 International Space University Summer Session Program.

*The Hon. Caroline Schaefer interjecting:*

**The Hon. T.G. ROBERTS:** That partnership involved the University of South Australia and Adelaide and Flinders universities, supported by the Adelaide Convention and Tourism Authority and the state government through Australian Major Events. The International Space University, founded in 1987 and headquartered in Strasbourg, France, is the world's leading space education institution. Its programs are taught at graduate level and are dedicated to promoting international, interdisciplinary and intercultural cooperation in space activities.

Each year the nine week summer session program is held in a different part of the world, and it provides an opportunity for the host city to showcase its space capabilities to an international audience. Although it is called the summer session program, it will be held over nine weeks in our winter from 27 June to 27 August 2004, attracting over 250 of the world's top professionals—researchers and academics—in the space arena, who will live, study and teach in Adelaide. Clearly, there will be economic benefits for South Australia gained through the large number of people in Adelaide for the two months, and there will be an excellent promotion of South Australia with a large number of international guests attending the program. This is a great example of what can be achieved when there is cooperation between different organisations.

It is a tribute to the three universities and ACTA that the bid was successful, and they have set an example in the way that a collaborative approach can result in success and, in turn, flow-on benefits to South Australia. This project is also a great example of the type of event that in many ways has remained untapped in the state through the organisation of academic events. Through Australian Major Events we successfully host major sporting events and also arts and cultural events and, while it is important that we continue to do this, I think equally we need to pursue these types of academic events and try to develop a niche market in South Australia. This is an especially exciting event for the minister as it crosses over her portfolio responsibilities of further education, information economy and tourism, and it is clearly an example of how each of these areas can come together to produce an excellent outcome for South Australia.

#### RIVERPARK ESTATE

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Environment and Conservation, a question about Riverpark Estate.

Leave granted.

**The Hon. M.J. ELLIOTT:** Back in September 1992 the Hindmarsh and Woodville council placed a draft supplementary development plan on public exhibition. The plan intended to rezone the previous Hallett Bricks pughole site for residential development. More than 15 local industries made submissions expressing concern at the possible negative

impact on their activities because of the changes in environmental standards that would result from the rezoning. State government bodies also expressed concerns. These bodies included the Economic Development Authority and the Air Quality and Noise Abatement branches of the Environment and Land Management Department.

It would appear that these concerns were addressed, with the state government entering a contract to assist Mason & Cox to expand its operations and the approval of the rezoning to create the Riverpark Estate. This was confirmed in a letter dated 23 July 1993 from the General Manager of the South Australian Centre for Manufacturing to the Executive Director of the Environment Protection Authority. The letter states:

Among other things, the contract with Mason & Cox stipulates the company shall repay the grant funds in the event that:

(a) the company has failed to reach agreement with the Corporation of the City of Woodville and the Environmental Protection Authority on the implementation of a program of environmental improvement which addresses noise, particle and sand pollution (the Environmental Improvement Program) within two years of the date of this agreement; or

(b) the company has failed to implement the Environmental Improvement Program within the time frame approved by the Environmental Protection Authority.

I also draw the minister's attention to a letter from the State Ombudsman dated 26 April 2000 in relation to an FOI request to the previous government about Mason & Cox. The Ombudsman states:

The determination of the Department for Environment, Heritage and Aboriginal Affairs was that the Environmental Protection Agency has no record of either an environmental improvement program (EIP) or an environment management plan (EMP) for the Mason Cox foundry over the period 1993-1999.

On 28 June 2000 I asked the previous minister for the environment and natural resources whether the state government had provided Mason & Cox with the intended funding and, if so, why no EIP had been carried out. I received no reply. So, no reply to questions to the minister and no response to an FOI request. My questions to the minister—and perhaps the new government might be a little more open than the previous in answering this one—are:

1. Did the previous state government enter into a contract late in 1993 to provide financial assistance for the consolidation and upgrade of the Mason & Cox foundry's Torrensville operations?

2. If so, will the minister explain why the EPA has no record of an EIP or an EMP, or if Mason & Cox has repaid the grant?

3. Will the minister also detail what scientific testing has been conducted by the state government, its departments or contractors since 1993 to ensure that original concerns about air quality and other matters have been addressed?

4. If so, what do these tests reveal about the ongoing impact of nearby industry on the environment and residents of Riverpark Estate?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will take those test questions on notice, refer them to the minister in another place and bring back a reply.

#### TOBACCO SMOKE

**The Hon. NICK XENOPHON:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for

Industrial Relations, a question about employees being subjected to environmental tobacco smoke.

Leave granted.

**The Hon. NICK XENOPHON:** Some 13 months ago the New South Wales Supreme Court awarded Mrs Marlene Sharp \$466 000 to be paid by a Port Kembla hotel and a Port Kembla club for the throat cancer that she contracted as a result of working in those venues as a bar attendant for 11 years and 12 years, respectively. The evidence accepted by the court was that Mrs Sharp has a high risk of developing secondary cancer further to the throat cancer that she developed as a result of passive smoking. The court found that her former employer, the Port Kembla RSL Club, had been negligent and breached its duty of care by exposing Mrs Sharp to unnecessary risk.

On 9 February 1991, the Federal Court of Australia, in a decision delivered by Mr Justice Morling in a case brought by the Australian Federation of Consumer Associations against the Tobacco Institute of Australia, found that passive smoking was causally linked to health problems including asthma and cancer. Indeed, in one of its editorials, the *Advertiser* describes passive smoking as a gratuitous cruelty. Recently the Minister for Health (Hon. Lea Stevens) has made reference to further consulting on the issue of passive smoking within the hospitality industry. My questions are:

1. What steps will the minister's department take, in particular, with respect to his occupational health, safety and welfare inspectors who are responsible for enforcing the legislation, following the decisions of both the New South Wales Supreme Court and the Federal Court to which I have referred to ensure that workers in the hospitality industry, in particular, are not needlessly exposed to the risk of contracting serious health conditions, including lung and throat cancer, from passive smoking in the workplace?

2. Does the minister consider that inspectors have the power to declare workplaces smoke-free under current occupational health and safety legislation and, if so, will he support inspectors in declaring workplaces smoke-free?

3. Will the minister support workplaces that do not adopt a smoke-free environment for their employees being subjected to higher WorkCover premiums?

4. How many WorkCover claims have been made with respect to health conditions caused by passive smoking since the inception of the WorkCover scheme?

5. What studies and/or research has the minister's department undertaken or have in its possession on the potential health impact of environmental tobacco smoke on workers in enclosed spaces in gaming rooms and in the Adelaide casino?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will take those important questions on notice to the Minister for Industrial Relations in another place and bring back a reply.

#### ROAD SAFETY STRATEGY 2010

**The Hon. DIANA LAIDLAW:** I seek leave to make an explanation prior to asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, a question about the Road Safety Strategy 2010.

Leave granted.

**The Hon. DIANA LAIDLAW:** On 14 January this year, as the then Minister for Transport, I released for public comment a draft road safety strategy to the year 2010. After taking account of feedback and comment, it was proposed at

that time that a final version of the strategy would be prepared for the minister by this month for subsequent consideration by cabinet. In terms of the feedback, I am aware that some of the measures outlined in the draft strategy already have generated strong disagreement among agencies and representative associations such as the RAA, the Road Accident Research Unit and South Australia Police. In the meantime, notwithstanding the imminent release of the final version of the strategy—at least, according to the original timetable—both the Premier and the Minister for Transport have been releasing in a random fashion, by media interviews and dorothy dix questions in the parliament, piecemeal road safety propositions ranging from 50 km/h in local streets and then, yesterday, extended periods for P plate licences.

I understand that the Minister for Transport has now received for his consideration the final version of the Road Safety Strategy 2010 prepared by Transport SA. My questions to the minister are:

1. When does he propose to take the strategy to cabinet for consideration, and what is his timetable for release of the strategy?

2. When he finally releases a comprehensive, coherent strategy (at least, let us hope that it is), rather than the ad hoc, isolated initiatives that we are now being bombarded with from the minister and the Premier without the aid of research or any context, will the minister also undertake, as part of the government's open government agenda, to release all the submissions received by Transport SA during the public consultation process?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer those important questions to the Minister for Transport in another place and bring back a reply—as long as the member also relays them to the shadow minister for transport.

*Members interjecting:*

**The PRESIDENT:** Order!

#### ABORIGINAL HOUSING AUTHORITY

**The Hon. SANDRA KANCK:** I seek leave to make an explanation before asking the Minister for Social Justice a question about the Aboriginal Housing Authority.

Leave granted.

**The Hon. SANDRA KANCK:** My office does a good deal of business with people from the Aboriginal community who are seeking housing. The biggest complaint I receive from people is about the difficulty of obtaining such housing because of the long waiting lists. Many of the Aboriginal people who contact my office tell me that they have great difficulty obtaining any non-government housing, and they cite the prejudice of private rental landlords as an insurmountable hurdle to their getting a roof over their head. My questions to the minister are:

1. How many names are on the current waiting list of the Aboriginal Housing Authority?

2. Of those people, how many are assessed as category 1 clients?

3. What is the longest period of time a family or individual has been on the current waiting list?

4. With priority being given to those with chronic health conditions and special needs, how long is it since a family or individual has been moved to the top of the list and then placed by the Aboriginal Housing Authority without special needs applying?

5. Does the minister consider a review of the operations of the Aboriginal Housing Authority is necessary?

6. Does the minister think that the Housing Trust could absorb the operations of the Aboriginal Housing Authority and provide a better service to the Aboriginal community by increasing the number of Housing Trust workers with Aboriginal cultural awareness?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer those important questions to the Minister for Social Justice and bring back a reply. In doing so, I comment that it is very difficult for the administrators of the scheme because of the number of clients in relation to the housing stock. I have a lot of sympathy with people who have to make choices about competitive needs. Therein lies a major problem. I am sure nearly every case is an emergency case and does get housing. I will take those questions back to the minister and bring back a reply.

### ROADS FUNDING

**The Hon. T.G. CAMERON:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, questions regarding local road funding.

Leave granted.

**The Hon. T.G. CAMERON:** I have received a letter from Mayor Johanna McLuskey, President of the Local Government Association, regarding concerns over the inequitable state distribution of commonwealth road funds to South Australian local councils. The commonwealth government has for many years provided funds to local government in the form of identified road grants under the Local Government Act. In 2000-01, South Australian councils received \$22.3 million—just 5.5 per cent of the total pool. The basis for the distribution of identified local road grants between the states is unknown, however. The LGA has continually sought an explanation from the commonwealth government as to the basis of the distribution between each state and territory. The only explanation the commonwealth is able to provide is that it is historical—an explanation not acceptable to South Australian councils, which believe a change in the distribution basis must occur.

Currently South Australia receives less than its fair share of the identified local road grant funds, either on a per capita or road length basis. The LGA has calculated that distributing the local road grant on a road length basis would provide an additional \$24.7 million or, on a population basis, an additional \$9.4 million. No wonder it is confused about the level of grants we are getting from the federal government. The current distribution of commonwealth government funds for expenditure by local government on roads between the states and territories places South Australia at a severe disadvantage compared with the other states.

The significant economic growth that South Australia has recently experienced, particularly in regional areas, will be threatened if our councils do not have the financial means to maintain their roads, and many country councils are complaining that they are unable to maintain their roads to the current standard. My question to the minister is: considering that low funding for road building and maintenance has direct implications for South Australian businesses trying to compete with those interstate and for future employment prospects for South Australians, will he immediately lobby the federal Minister for Transport to seek an explanation as to why funds are currently distributed as they are, and

advocate the case for South Australian councils to receive more equitable distribution of identified local road grant funds?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will take those important questions to the Minister for Transport and bring back a reply, and I will also add my weight to the plea for extra funding for regional roads and, in particular, those which are designated for B-doubles, because not only are we not getting the funds that we require for our major highways but there are many minor roads designated as acceptable for B-doubles which are deteriorating at a rapid rate, and I do not think the commonwealth is aware of many of the problems that we face.

### FRUIT FLY

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about fruit fly.

Leave granted.

**The Hon. J.S.L. DAWKINS:** On 15 May this year I asked a question of the minister in relation to random roadblocks for fruit fly detection on the Sturt Highway. I also asked whether there was any potential for further roadblocks on other routes to the Riverland from Adelaide. In addition to the minister's response in this place, I received a written response last week, which states, in part:

Only a limited number of operations are planned in this assessment stage and, at this point in time, only the Sturt Highway is being targeted because this is the key route for travellers into the Riverland from metropolitan Adelaide. PIRSA have however, in conjunction with Transport SA, assessed a series of other potential future random roadblock sites including a number of those mentioned by the honourable member. These routes include those secondary roads entering the Riverland that are currently signposted—the Sedan to Swan Reach Road, the Eudunda to Morgan Road, and the Burra to Morgan Road. A number of key border crossings have also been assessed.

The minister continues:

Again, I would reiterate however that this is an initial trial program and I will await a final report from the department which will consider any future random roadblock program proposals.

My question is: will the minister ask PIRSA to strongly consider the Murray Bridge-Loxton Road as mentioned by me in my questions on 15 May (a popular Adelaide to the Riverland route) before he waits for the final report from the department?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** Two random roadblock operations were carried out on 7 and 8 May this year at the Blanchetown weighbridge site. Further random checks were due to be conducted. I am not sure whether one of those has been held yet or put off for a week. I seem to recall seeing a note that it might have been put off. It was certainly intended that a total of five days of operations would be undertaken during May and early June to include a three weekday and one weekend program.

I thank the honourable member for his suggestion in relation to the Murray Bridge to Loxton Road. I will speak to the chief of the particular section that deals with fruit fly roadblocks within my department and perhaps ask him to contact the honourable member. If the honourable member has some additional information—perhaps he has reasons for why he thinks there might be particular problems in relation



to that road—I think it would be worthwhile communicating that to the department so that it can make an assessment.

The five days of operations are nearly at an end, and it is important that we review this important program. I think I indicated in answer to the honourable member's question earlier that a considerable amount of fruit was taken in those two days, indicating that there are people who are not aware of the restrictions against bringing fruit within this state, in particular into the Riverland.

It is important that we continue with this activity and effort to ensure that people are aware of this matter. However, as I said, I will speak to the relevant officers in my department to ensure that they contact the honourable member and perhaps have a discussion with him about the particular problem which he is drawing to the attention of the council. I thank the honourable member for his question.

## REPLY TO QUESTION

### CRIME POLICY

In reply to **Hon. T.G. CAMERON** (7 May 2002).

**The Hon. P. HOLLOWAY:** The Minister for Police has provided the following information:

The 'right to silence' is not a simple right or privilege of certain description—rather it is a bundle of related rights, immunities and consequences. This bundle is encapsulated in the traditional maxim 'nemo tenetur prodere seipsum' which may be translated liberally as 'no one is obliged to accuse himself'. In the most general of terms, the 'right to silence' or 'privilege against self-incrimination' consists of two parts, which are commonly considered separately; the right to refuse to provide information without attracting a criminal penalty for so doing, and the right not to have adverse inferences drawn from silence. Of course, the right to be silent does not necessarily imply a right not to be questioned.

More precise analysis is necessary to draw apart the components of this central core of meaning. In *R v Director of Serious Fraud Office ex parte Smith*, [1993] AC 1 at 31, Lord Mustill stated that the right to silence actually referred to a set of immunities, which differ in nature, origin, incidence and importance and include:

(1) A general immunity, possessed by all persons and bodies, from being compelled on pain of punishment to answer questions posed by other persons or bodies.

(2) A general immunity, possessed by all persons and bodies, from being compelled on pain of punishment to answer questions the answers to which may incriminate them.

(3) A specific immunity, possessed by all persons under suspicion of criminal responsibility whilst being interviewed by police officers or other persons in similar positions of authority, from being compelled on pain of punishment to answer questions of any kind.

(4) A specific immunity, possessed by accused persons undergoing trial, from being compelled to give evidence, and from being compelled to answer questions put to them in the dock.

(5) A specific immunity, possessed by persons who have been charged with a criminal offence, from having questions material to the offence addressed to them by police officers or other persons in a similar position of authority.

(6) A specific immunity (at least in certain circumstances, which it is unnecessary to explore), possessed by accused persons undergoing trial, from having adverse comment made on any failure (a) to answer questions before trial (b) to give evidence at the trial.'

This bundle of rights and privileges has never been absolute. Nor should it be. There are some very obvious examples of that. For example, the compulsory examination on oath in bankruptcy has been in existence for very many years. Equally obviously, a number of statutes confer coercive powers on a kind of inspectorate in the context of the regulation of an industry. For example, s 28 of the South Australian Fisheries Act, 1982 gives sweeping powers to a fisheries officer including the power to demand full name and address and to require information about boat, crew and any person on board the boat. Other quite obvious examples of interference with one or more of the principles involved can be found in companies and securities legislation, trade practices, immigration, taxation and

customs legislation. Another simple example is section 74A of the South Australian Summary Offences Act, which allows a police officer to demand name, address and, if necessary, proof of identity of any citizen where the police officer has reasonable cause to suspect that a person has committed, is committing or is about to commit any offence or that a person may be able to assist in the investigation of an offence or suspected offence.

It is therefore obvious that there is no such thing as a general right to silence and, where it does exist, it cannot be and should not be absolute. After that, it is all a question of degree and defensible social policy.

## AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) BILL

Adjourned debate on second reading.  
(Continued from 3 June. Page 287.)

**The Hon. CAROLINE SCHAEFER:** This bill was debated to the committee stage in the House of Assembly in the previous parliament. It aims to reduce unintended risks to plants, animals, trade, the environment and human health after point of sale by encouraging responsible use and disposal of chemicals and veterinary products. Part 2 imposes a general duty of care on the end user of the chemical, veterinary product or fertiliser, and requires reasonable care to prevent or minimise harm. This duty extends to minimising contamination of land. The user is required to use the product as instructed on the label, observe weather conditions before spraying and so on.

However, it also imposes some limitations on the supplier, contrary to my previous advice, and I will be asking questions about that during the committee stage. The aim of the bill is to encourage rather than compel. Therefore, failing to comply does not of itself constitute an offence, and a compliance order must be issued before any further penalty applies. Recourse for environmental damage would normally be made via other legislation, for example, the Environment Protection Act, the Public Welfare and Environmental Health Act, the Food Act or the Occupational Health, Safety and Welfare Act. All product should be registered and labelled accordingly through the national or South Australian Agvet Code.

However, a permit for the use of unregistered product in certain circumstances may be issued. For example, in the event of a new product being made available, such as was the case in respect of zinc phosphide during the last mouse plague. The bill provides for greater control on the supply of veterinary products and requires that adequate instruction is given to the end user. It also obligates withholding periods for trade species animals. Restriction for chemical use can be applied in specific areas and at certain times of the year. For example, aerial crop spraying could be banned in or near a horticultural or viticultural area at crop flowering time and vice versa—the spraying of pesticides within a horticultural area may well be prohibited during certain times near a cropping area. Who would impose those specifications? Would it be local government or would it be the department?

During the debate in the House of Assembly, a number of queries were raised as to the powers of authorised officers. These appear to have been addressed with the provision of a right of appeal, and the authorised officers can also commit an offence under clause 29. Any court proceedings would be heard by the District Court. I thank the minister for his offer

(which I accepted) of a very comprehensive briefing on this bill. I will have a number of questions, but they are more reflective of the fact that I am quite inexperienced as a shadow minister rather than opposition to the bill. Certainly, I was very grateful to have such a comprehensive briefing.

This bill tries to establish a balance between responsible use and the needs of the end users. It attempts to apply regulation, which has long been overdue, but without being too draconian. I am sure that, as this legislation progresses, some areas may need to be changed into the future, but it goes a long way towards some control of use at least. There will always be the vexed issue of things such as spray drift and right to farm legislation with which inevitably I believe this place will have to grapple, but certainly this is neither the time nor the place. The opposition supports the bill.

**The Hon. T.G. CAMERON:** I rise in support of the Agricultural and Veterinary Products (Control of Use) Bill 2002. The bill's intention is to allow the state government to manage the risks to our environment, health, trade, people and animals from agricultural and veterinary chemicals within the risk factors set by the National Registration Authority. It proposes to maximise the safety and economic benefits of chemicals while managing risks to market access, public health, biodiversity and the environment. I submit that the framework will promote a more responsible use of chemicals, in particular agricultural chemicals. And as I have already indicated, the bill will enable South Australia to meet its national obligations for controlling chemical use and standards for fertiliser products.

Perusal of the bill reveals that it is quite similar to the one introduced last year by the previous government; in fact, it is nearly a mirror image of the bill that was released by the previous government which, as I understand it, got to the committee stage in the House of Assembly. That bill was introduced in response to a green paper which was released in late 1998 or early 1999. There are a number of circumstances in which this bill is intended to apply, for example, to help prevent spray drift of chemicals (known as rural chemical trespass); and to prevent trading partners from rejecting our goods because of high levels of chemicals, particularly pesticides and insecticides.

It is interesting to note that the standards that overseas countries are demanding of agricultural products mean that a premium can be placed on a product if it meets acceptable standards—particularly in Europe and North America. For example, the minister may order certain chemicals not to be used in certain areas and at certain times. Currently, the only power available to the minister is to prevent the chemical from being used at all; so there is more flexibility here for the government to act if the situation requires it. Also the government would have the power to prevent the export of animals if those animals contained high or risky levels of veterinary chemicals which would be likely to cause them to be turned back at the point of sale.

I make the point that far more damage is caused to the marketing of a product overseas if that product is rejected in the country of origin. It acts as a catalyst for an enormous amount of publicity in the home country and, as we have seen from experiences in Europe, Japan and elsewhere, a little bit of information can go a long way in the local media. We have seen export markets for some of our products significantly damaged because we did not take the appropriate or necessary steps to ensure that the product never left our country in the condition that it was in.

This bill was hotly debated, particularly by rural MPs, over provisions allowing warrants on commercial premises. The reason for this is that commercial premises include farms, and farms often contain a residential premise that could be included. My understanding is that these concerns have been addressed by requiring restrictions on warrants, such as time, duration, and knowledge available to the issuing magistrate, so that the law is enforceable but that residential premises are not severely affected. I feel quite confident that that matter has been addressed; if it had not been, the Hon. Caroline Schaefer would have foreshadowed amendments to achieve that end.

As I indicated earlier, SA First supports this bill. It is important to our export industry that our goods comply with the set chemical levels, particularly in overseas markets, and that accidental chemical trespass does not damage unintended crops. This bill goes quite some way to establishing a suitable framework to control this and achieve these objectives.

**The Hon. IAN GILFILLAN** secured the adjournment of the debate.

### SUPPLY BILL

Adjourned debate on second reading.  
(Continued from 3 June. Page 289.)

**The Hon. R.I. LUCAS (Leader of the Opposition):** I rise to support the second reading of the Supply Bill and, in doing so, I have the opportunity to address some of the claims made by the Hon. Ms Zollo in her earlier contribution to the Supply Bill debate and, indeed, similar claims made by other government members during the Supply Bill debate in another place.

The Supply Bill is essentially a device for government to ensure that public servants can continue to be paid, and that public services can continue to be delivered from the period 1 July through until the Appropriation Bill is finally considered by the parliament and processed, which may well be, we are advised by the government, as late as October or November this year, given that the budget will not be delivered in the house until as late as 11 July.

The Supply Bill, therefore, gives parliamentary authority to the government of the day to continue those services, and broadly entitles it to continue delivering them in accordance with generally approved principles for the last 12 months in terms of public expenditure until the time an Appropriation Bill is passed which might change those priorities. If one wanted to interpret the Supply Bill provisions according to the strict letter of the law, there may well be some interesting constitutional debate about new governments making changes prior to the passage of the Appropriation Bill, but it has not been an issue raised by oppositions in the past and, certainly in most normal courses, oppositions would not seek to interpret strictly particular provisions of the Supply Bill clauses.

We see in the Supply Bill very large provisioning to continue the operation of public services. At the same time, of course, the preparation of the state budget will allow for continuation of the delivery of those public services for the remainder of the financial year in accordance with what, we are advised by the government, are its changed priorities.

We have seen in the first two months or so of this new government, sadly, a government not prepared to adhere to the promises it made at the time of the state election. Whilst

the Supply Bill will not allow me to canvass all of the broken promises that do not relate to the Supply Bill debate, there are three or four, of a financial nature, which are very significant and which are critical to the debate about supply and appropriation. One of the absolute key promises made by the new state government, campaigning as the Labor Party, was that it would not increase state charges. There was a consistency between the former Liberal government and the then Labor opposition in relation to a commitment not to increase state taxes.

The Liberal government's taxation policy, which was released publicly, indicated a commitment not to increase state taxes and not to introduce new taxes. The Labor Party when in opposition went much further than that. Obviously, for those in the electorate listening to the promises it was a very attractive promise. Members of the Labor Party said, 'Not only will we match the Liberal government's promise in relation to taxes but we will go one step further: we will commit to there being no increase in government charges in South Australia.'

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** The Hon. Mr Holloway interjects and says, 'No real increase'. That is untrue in relation to the commitments made by the Labor Party when in opposition. It made specific and explicit commitments on 18 January, during the first week of the election campaign, when the Premier said explicitly that he would not increase government charges in South Australia to fund the Labor Party's election commitments.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** First, the Leader of the Government said that it was only a promise 'in real terms'. When he knows I have pointed out that statement is untrue, he hides behind the defence of scoundrels, that this is just semantics. This was an extraordinarily important commitment. The people of South Australia wanted to know the commitments in relation to taxes and charges. It is a critical issue. The hip pocket nerve, Mr President, as you will know from your few years of campaigning, is an important issue to electors in any election. The two parties were of one accord in relation to taxes, but the then leader of the opposition (Mr Rann), the then shadow treasurer (Mr Foley) and the then shadow minister for finance (Hon. Mr Holloway) put their heads together and said, 'We have to gazump the Liberal government. We have to promise more to the people of South Australia on this issue.'

If they were saying the same thing as the Liberal government on taxes, what is the point of voting for something different? They had to market themselves as being different.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** The Leader of the Government says that I would make a good fiction writer. I have read Labor policy in this area and I suggest he, as one of the co-authors, ought to accept responsibility for writing fiction. The Labor Party wanted to gazump the then Liberal government's promises in relation to taxes and charges. It made an explicit commitment not to increase charges. Each year for the past three years or so, I put out a press statement at budget time highlighting that government charges would go up in accordance with a cabinet approved formula and, I am going from memory, I think it was in the order of about 3 per cent last year. But each year as Treasurer I would put out a statement which indicated that government fees and charges would go up in accordance with this pre-determined cabinet approved formula which, I understand, was approved in 1998.

The media and the community knew that the Liberal government had that policy and was continuing with that policy. We indicated that we were open and up-front in relation to our policies on government charges. The then Labor opposition sought to gazump the Liberal government on this issue, knowing that it had made an explicit commitment that it would not increase charges in accordance with that formula, which had been in place since 1998. It had been there for three or four years; it had been publicly discussed every year, and criticised, I might say, by the Labor shadow treasurer each and every year.

Each and every year, I would front up to the community and the media and I would be told by the media, 'The Labor shadow treasurer has roundly criticised the Liberal government's decision to increase government charges,' whatever the percentage was. Everyone knew what the policy was and everyone was well aware of it. The Labor Party made an explicit commitment to say, 'Okay, we will not do that any more. We will not increase government charges.' That value to the taxpayers is potentially of the order of about \$20 million a year. This year, because Labor must have included other charges in it, it says it is about \$30 million. But that promise was worth about \$20 million a year based on previous years' estimates. It was a \$20 million annual commitment, an \$80 million commitment over four years, that was being given by the then leader of the opposition (Mr Rann), the shadow treasurer (Mr Foley) and the shadow minister for finance (Hon. Mr Holloway). It was an \$80 million commitment to say that they would not increase government charges during the term of the next Labor government should they be elected.

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** Because we believed what you said. More fool us: we believed what you said. I apologise to the people of South Australia for believing the Hon. Mr Holloway, Mr Rann and Mr Foley when they made these statements. Clearly, from what the Hon. Mr Holloway is implying, we never should have believed what they said and what they put into their policy documents, that is, an \$80 million commitment from the Labor Party that it would not increase government charges.

People out there would have been saying, 'Okay, the Liberal government says no increases in taxes. The Labor Party says no increases in taxes: 15 all. They are the same.' But, hold on! Here are the Hon. Mr Holloway, Mr Foley and Mr Rann saying, 'We are better than the Libs. We will not increase your charges over the next four years if you vote for us.' What would the people sitting out there in the electorates have been thinking? They would have been thinking, 'This is a very attractive offer. It is \$80 million worth over four years, with no increases in charges at all over the four years.' That has got to have had some attraction for people in the electorates during the last election campaign.

As we talked to people and doorknocked people, this was constantly coming back, among other things; these commitments were being given by the Labor Party. They were saying things such as, 'They are going to spend more money on health and education. They will balance budgets. They do not have to increase taxes and charges at all. They can do all of it.'

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

**The Hon. R.I. LUCAS:** Now is not the debate about privatisation, but we will have another opportunity to talk about broken promises on privatisation. If members talk to the PSA members, to Jan McMahon and Mr Christopher—

*Members interjecting:*

**The PRESIDENT:** Order! Members on my right will familiarise themselves with standing order 182.

**The Hon. R.I. LUCAS:** We will discuss privatisation at the another time, not during the Supply Bill debate—and I am very happy to do so. These were the sorts of commitments being made by the then Labor opposition. It was an attractive package. They said, ‘We will balance the budget. We will spend more money than the Libs ever spent on education, health and police services, and we will not raise taxes and charges at all.’ That was the promise being given by the Labor Party.

A key part of that was this commitment on charges. So, when people were talking, whether it be at the door, on the telephone, receiving letters or on talkback radio, this package of promises was very attractive. It was the ultimate deception by the Hon. Mr Holloway, the Leader of the Opposition, Mr Rann, and the shadow treasurer, Mr Foley. They knew that they could not and would not keep those promises. They knew that at the time they made those promises. In relation to government charges, they have now been caught out.

What actually happened last week was they made an announcement in relation to the emergency services levy, on which they got caught out as well. The headline of the press release from the Treasurer was, ‘ES Levy not to increase’, or something along those lines, when in fact we all know that the impact on ordinary South Australians will be increased because the government has increased the total collections from \$141 million in aggregate up to \$156 million, with some component of that coming from householders and some component coming from, allegedly, consolidated revenue.

I am told that in the middle of that press conference, Ms Jill Bottrill, the media minder-cum-spinner for the Premier, quietly said to one of the television journalists, ‘Why don’t you ask the Treasurer a question about increases in fees and charges?’ It was as a result of that question that the information came out about the 4.2 per cent increase in fees and charges. Not the openness, honesty and accountability of previous governments and treasurers, who put out press statements and said, ‘Okay, this is what we will increase fees and charges by.’ They were available obviously to the media before the conference and to the opposition.

As I said, when I went to press conferences, I was always being roundly condemned by shadow treasurer Mr Foley for having increased fees and charges by whatever the particular amount might have been. There is not that sort of openness and accountability by this Treasurer and government. They skulked outside the State Administration Centre, they scurried up to journalists to have questions asked, and only then did the information gently dribble out of the mouth of the current Treasurer—and I use that word advisedly in relation to the current Treasurer—in response to incisive questioning from the media, having been gee’d up to it by the spin doctor for the Premier to ask this particular question. There is the comparison, and this is a critical issue in relation to both supply and appropriation in South Australia.

We have now had established by way of further questioning on yesterday’s morning radio on the Bevan and Abraham show the issue in relation to water rates. Again, this is an important issue in relation to the people of South Australia in terms of judgments that they might want to make. David Bevan had conducted an interview with the then shadow treasurer Kevin Foley prior to the last state election, on a range of issues, generally about how on earth this magic pudding of balancing budgets—spending more money than

the Liberal government but not increasing taxes and charges—could in any way have been delivered.

For the benefit of listeners and to the supreme embarrassment of the current Treasurer, David Bevan still had that taped interview which he was able to put to air yesterday. David Bevan put the question to the then shadow treasurer in relation to part of the Labor Party’s funding package to try to fund all of its election commitments, and that was that \$10 million additional would be taken by way of dividend from SA Water and from the Woods and Forests. The interview went along those lines, and David Bevan said, ‘So you are going to ask SA Water principally to come up with an extra \$10 million to \$12 million a year in what, extra revenue for the government or savings?’ Mr Foley replied—and I will not repeat all of it—something along the lines, ‘I am advised. . . I have been provided with. . . eminently deliverable, and I look forward to them chipping in and helping Labor put the money into health and education.’

David Bevan then says, ‘Without rates going up? Without water rates going up?’ This was the crunch question to the shadow treasurer. ‘Are you promising to do this without increasing water rates?’ This is exactly the question from David Bevan, ‘Without rates going up? Without water rates going up?’ What did Kevin Foley promise to the people of South Australia, in the last week of the campaign? ‘Absolutely, David. An organisation that turns over \$600 million a year, provides \$200 million of profit to government, you know a figure of less than \$10 million, I mean, that’s got to be easily achievable and will be expected under a Labor government.’

You cannot be more explicit than that. The question is, ‘Without rates going up? Without water rates going up?’ The shadow treasurer says, ‘Absolutely, David. This is going to be absolutely achievable.’ That was the commitment—and you will need to get some help with this one Paul, quickly, help! That was the commitment that was given by the Labor Party prior to the state election.

So, in relation to all the fees and charges, first, they would not be increased and, secondly, as to water rates—a critical element of the budgets of South Australian families and households—they were not going to be increased either. We also had the embarrassment yesterday on morning radio—and it does not give you much confidence—when the Treasurer of the state was asked, ‘Does this 4.2 per cent increase cover water rates?’ He said yes. Of course, it does not, I might interpose.

**The Hon. Diana Laidlaw:** He just didn’t know!

**The Hon. R.I. LUCAS:** He just didn’t know. How much confidence does that give the listeners of ABC Radio, but more importantly all South Australians, when the Treasurer of the state has not the foggiest idea of the policy announcements he is making? He does not have the foggiest idea of what is covered, and actually answers on morning peak radio that water rates will go up by 4.2 per cent. Then he says that he had better go and check. Ten minutes or so later he rings back and says, ‘No, that is not exactly right. They are not actually covered by the 4.2 per cent increase.’

He then goes on—and I know I have made these comments under a substantive motion, as indeed I must in referring to the Treasurer as a serial misleader of the community and the parliament, and that is on the public record in that substantive motion. But in demonstrating the accuracy of those comments, he then went on to say, having rung back again, that it was not going to be the government’s

decision: it would be a decision taken by SA Water later in the year. That is just palpably untrue.

The decision on water rates is taken by the government of the day. The SA Water Board makes recommendations, and every year the cabinet sits down and makes decisions as to whether it will accept those recommendations, amend them or reject them. It is a decision of the government. It is a decision of the cabinet. That announcement or statement by Kevin Foley on morning radio yesterday in relation to the issue of water rates was just untrue.

Before moving off the broad issue of charges, let me say that we have seen, both from the government minders and surprisingly, I thought, or foolishly, from the Treasurer an attempt at a sort of sophistry in relation to what the Labor Party's commitment was. We saw that again today from the Leader of the Government in this chamber when he said, 'No, we did not promise not to increase charges: it was only in real terms.' I challenge him today to look at the statement of the Premier on 18 January. I challenge him, in his reply to the Supply Bill debate, to refer to that statement of 18 January from the Labor Party funding strategy document and show where in any sentence there is reference to 'in real terms' in respect of those two commitments that were made by the Labor Party to the people of South Australia. We will wait with interest for the minister's reply to the bill's second reading.

The further sophistry we have seen, as I said, from government minders and, foolishly, from the Treasurer, is that they say, 'We, the Labor Party, only promise not to increase taxes and charges to fund our election commitments.' Therefore, the obvious inference from the Labor Party is that it can increase them for everything else. If, indeed, that is the case—that is, that the Labor Party is saying, 'Our promise was only good for the \$250 million' (or whatever it was that its promises were going to cost), 'but for the other \$7 000 million worth of public expenditure we can ratchet up taxes and charges to whatever level we like to pay for cost pressures and new initiatives in those sections of the budget not covered by the specific election funding commitments'—and if that is the sophistry to which the Premier and the Treasurer will stoop in trying to defend the indefensible on this issue, they will be laughed out of the parliament and they will be laughed out of government at the next election. No-one could ever believe any commitment from the now Premier and the now Treasurer on issues of taxes and charges if they try to develop that sort of defence to their clear broken promise in this area.

As I said, with respect to the Supply Bill debate, I do not intend to look at all the other broken promises in relation to privatisation and other issues. However, the other matter with the big cost impact in terms of the supply and appropriation debate is, of course, the fundamental commitment that Mr Rann and Mr Foley made prior to the election to increase spending in education and health—but, more particularly, that there would be no cuts in the education and health portfolios. We know that, in the first two months of this government's being in office, that fundamental promise has been broken by the Premier and the Treasurer.

In the past month, the shadow minister for health has publicly revealed copies of memos sent to the Chief Executive Officer of the Department for Human Services, asking for the department to come back to the bilaterals with expenditure cuts, and asking what the impact would be of, I think, 1.75, 2.5 and 3.25 per cent cost reductions in the total portfolio. Those memos were sent, of course, to ministers and

CEOs in all the other portfolios. But credit where credit is due: I think on occasions the Treasurer said that he was looking forward to hopping into the arts budget and the tourism budget, because he relished—

**The Hon. Diana Laidlaw:** He was more enthusiastic than that.

**The Hon. R.I. LUCAS:** My colleague the Hon. Ms Laidlaw will refresh my memory, but I think he said that he relished the opportunity to get into those portfolios—tourism and arts—and slash them and hack them. Of course, that was different from the commitment that the Premier gave in his arts policy; and I think my colleague the Hon. Ms Laidlaw has highlighted the discrepancies in the commitments made by the then Leader of the Opposition and then shadow treasurer in relation to the arts portfolio. Clearly, in relation to this debate, the Treasurer has held sway in relation to imposing his view over the commitments that have been given by the Premier in terms of arts funding.

They were clear, unequivocal and important commitments—that the Labor Party would be able to out spend significantly, as it said, a Liberal government in terms of education and health without cutting funding to those portfolios. Yet, within two months, that promise has been broken. The Treasurer has not even confessed to that: he has just said, 'We are looking at savings right across the board, including education and health.'

In a number of other areas there have been significant slip-ups by the new Treasurer as he struggles to come to grips with his portfolio, including the slip-ups in relation to water rates that I highlighted earlier. I also highlighted earlier in question time his error in relation to the claimed \$13.3 million twenty-seventh pay issue with respect to the Department for Human Services. The Treasurer told the *Advertiser* and all the media that that impacted on the budget; that there was another black hole. When he was confronted with the truth, there is this lovely line in *Hansard* which, in essence, was (and I do not have the exact quote), 'Look, if I've made an error, so what?' He made an error of only \$13.3 million! As I understand it, it was in the wrong year by two years. It was not this year: I think June 2003 would have been the precise time of its impact, as opposed to it having an impact on the 2001-02 budget. As I said, he basically said to the House of Assembly, 'Well, if I've made an error, so what?' Sadly, that is the sort of competence that this state will be saddled with over the next three to four years.

Of course, we also have the much more serious issue, which again is being addressed by the most serious of motions—a censure motion in this council against the Treasurer for misleading the House of Assembly on the issue of teachers' wages. Clearly, as I indicated in that debate, he has seriously and deliberately misled the parliament, consistent with a number of statements he had been making since 14 March on this issue, that the former Liberal government had not provided anything in the forward estimates for the teachers' wage increase. Indeed, I will be writing to all members, because I understand that the Treasurer, in seeking to shore up support for himself as he faces this most serious charge of censure in the Legislative Council, has put a particular construction on events in relation to his misleading of the house. He does not defend all the statements made on 9 May; there is no defence at all of those statements. What he does say is that, 'On another occasion I got a bit closer to the truth, and I concede that there was some provisioning for teachers' wages in the forward estimates.' He did not put a

number on it, but he read out a section of a particular document.

That again will be an issue for another day, but it impacts on this debate most seriously in relation to the budget and the forward estimates. If that sort of defence is allowed to be accepted by either this council or the other house, in essence, it would mean that, if any minister stood up in this council and was marginally closer to the truth than actually telling the truth on one day, and then for the next two years misled the council, he or she could always defend their statement by saying 'I was a bit closer to the truth back on that particular day.'

We will be able to explore that issue in much greater detail during that substantive motion debate. But that issue of the teachers' wage increase is critical in our consideration of the budget position in South Australia. The former government had provisioned \$205 million, and eventually the Treasurer has been embarrassed into a position of having to concede that that is correct. His argument now is that it is still \$130 million short of what is required. The Treasurer is therefore saying that the total cost must be more than \$335 million, yet the Minister for Industrial Relations, Michael Wright, indicates, as does the Australian Education Union, that the total cost of the package is \$240 million. Somebody has it a bit wrong.

The AEU and the Minister for Industrial Relations said that his original and best offer, which would not be changed, was \$205 million. We understand he has now increased that to \$240 million, yet the Treasurer in another place is still claiming that it is over \$335 million. Clearly somebody is not telling the truth—maybe both are not telling the truth, I do not know. Clearly they both cannot be accurate. Either one or both are not telling the truth. Maybe the number is not \$240 million or \$335 million but some other number in relation to the total cost of the teachers' wage dispute.

This highlights the fact that it comes back to the core issue of the competence of the Treasurer. In an answer to one question in the House of Assembly he had to confess that he was not across the detail of the teachers' wage increase. The biggest single issue confronting the budget at this stage is the size of the teachers' wage increase—not just because of the \$300 million or \$200 million cost of it, but because of the flow-on implications for all the other public sector unions over the next four years. That was the case in 1996-97, when all of the subsequent debates with public sector unions were predicated on the argument that, if teachers got this, we—the nurses, salaried medical officers or administrative employees in the public sector—deserved that amount as well.

To have the Treasurer confess that he was not across the detail of the teachers' wage case, not able to answer the questions and clearly still coming up with different numbers from the minister who has responsibility for the teachers' wage case, gives no-one any cause for comfort in terms of having somebody who is competent in charge of the state's Treasury and budget. The Treasurer ought to have been briefed not only by Treasury but also by the industrial relations section of the Department of Premier and Cabinet and the Office of the Commissioner for Public Employment. He should have been briefed personally by the negotiators within the Education Department prior to all of these decisions having been taken and his having to answer questions in the House of Assembly.

Again, there are a number of other examples that I will continue to refer to in the substantive motion, of where the Treasurer has seriously misled. In the motion, I have referred

to him as a 'serial misleader' of the parliament and stated that he has seriously misled the parliament on the issue of the teachers' wage case. I will not repeat all of those arguments on this occasion. Just as another example in relation to these fictional claims of a black hole, I refer to two other concoctions that have been devised by the Treasurer to try to construct this mystical, magical black hole.

In one of the documents released by the Treasurer on 14 March, he claimed that part of these \$350 million worth of cost pressures was a \$20 million cost for buses in 2004-05. The Treasurer argued that I, the former treasurer, had been advised that I had to put aside \$20 million this year for 2004-05 for new buses and that I had chosen not to in a deliberate attempt to concoct a false impression in the mid-year budget review that the government put out in late January. The member for Davenport put a question to the Treasurer on this issue. The question was a fairly simple one because the Treasurer's argument has been that, in addition to the \$275 million worth of capital works contingency, in essence unallocated spending in the forward estimates for capital works, is another \$180 million worth of unallocated expenditure that can be spent on anything, along with the \$205 million that had been provided for the teachers' wage case. There was a total sum just in those three lines (and there are other budget lines I will refer to over the coming weeks) of \$656 million over four years available for teachers' wage claim costs and capital expenditures, which had been allocated, and for other cost pressures and new initiatives.

The Treasurer had been arguing that the \$275 million capital contingency could not be used to fund the \$20 million worth of buses in 2004-05, if that is what the government decided it should do. The simple question put to the Treasurer last week was, 'Well, if that is what you claim, why then with Treasury approval was exactly the same line, the capital contingency line, used in last year's budget to fund \$19.5 million worth of expenditure for this budget year and next budget year for buses in the bus fleet in South Australia?' Exactly the same budget line was used to fund \$19.5 million worth of buses this year and next year out of the capital contingency line and that decision was taken in last year's budget.

It is simply untrue for the Treasurer to state that the \$275 million could not be used if a government chose to spend \$20 million of that in 2004-05 on buses. One can argue as to whether a government should or should not do that—and it is a slightly different argument whether you should or should not do it—but the Treasurer argued that he could not spend that money in this area. I place on the record that not only was the statement made by the Treasurer untrue (and when asked that question he was flummoxed again by it and a bit flustered and said he would take it on notice and come back with an answer—which we do not have yet; I guess they are trying to construct one) but also that I have discussed with my colleague the Hon. Diana Laidlaw, as the former minister for transport, that the reason the former government did not agree to put that provision in 2004-05 was that we were looking at a range of options, including options of private sector involvement, which might have meant that the government through the capital works provisioning would not have to meet the up-front capital cost of new buses, as we had to do for this year and next year. We had announced in last year's budget a willingness to move down the PPP (public private partnerships) path and we were actively engaged with the department of the Minister for Transport and the minister in discussions as to what the various options might be in

relation to future bus purchases. Treasury knew that so, again, it was a bit cute of the Treasury Department to put the \$20 million in 2004-05 and say—

**The Hon. Diana Laidlaw:** That's downright mischievous.

**The Hon. R.I. LUCAS:** My colleague says that it's downright mischievous. It was cute of the Treasury department to put that number in 2004-05, saying that we had been advised of it but had not agreed to put it in.

**The Hon. Diana Laidlaw:** We had rejected it.

**The Hon. R.I. LUCAS:** Well, the then minister for transport had rejected it, and I shared that particular view. As in a number of other areas, we were actually engaged, and had we been re-elected we would have been actively engaged in looking not only at this but other areas to see whether or not the taxpayer paying for the up-front capital cost of all of these items was necessarily the best way for us to be budgeting.

**The Hon. Diana Laidlaw:** Transit Plus is acquiring two buses per week at its own cost right now.

**The Hon. R.I. LUCAS:** Let me respond to that interjection to make sure that it is on the record. My colleague indicates that Transit Plus, a private provider, is purchasing two buses a week at the moment without up-front taxpayer funding to do so. So, that is why it should not have been put into the forward estimates with a provision for \$20 million in 2004-05. If one believes the most recent statements of the new Treasurer, who indicates that he is now prepared to follow the former government's lead in relation to public/private partnerships, then it is a reason why it would not be part of their claims of a black hole other than, of course, they had to concoct this fiction of the supposed black hole.

The last thing that I want to do during the Supply Bill debate is to respond to some of the comments made by members in this place and in another place relating to the state of South Australia's economy. Clearly, the state of the economy has a significant impact on our budget debates, whether they be supply or appropriation. A healthy, growing economy has seen that growing revenue receipts and stamp duty have ballooned in the past 12 months as a result of a boom in commercial and residential property. A healthy growing minerals and resources sector has seen significant increases in mining royalties coming into the state budget. Of course, payroll tax is geared towards the overall health of the state's economy, and the health of industry and the number of people employed will impact on the size of the payroll tax receipts that any government might have.

In the first couple of weeks after the change of government, I quickly grew very sick of some of the press treatment of the state of South Australia's economy. I hope during the Appropriation Bill debate to speak at greater length on behalf of the former Liberal government and my colleagues who I believe collectively have much to be proud of in terms of what we achieved in our eight years in government. I am the first to acknowledge—as with any government—that we were never perfect, that we made mistakes. Anyone who believes that they have never made a mistake (either personally or in government) are sadly deluding themselves. So, I am the first to acknowledge weakness and mistakes, but I will loudly—

**The Hon. J. Gazzola:** Tell us about it.

**The Hon. R.I. LUCAS:** Well, there will be other opportunities. The Supply Bill debate does not allow discussion about a whole range of other issues.

**An honourable member:** We're flexible.

**The Hon. R.I. LUCAS:** Well, it is not up to you to be flexible; it is the President who controls the nature of these

debates. As I said, on behalf of my colleagues, during the Appropriation Bill debate, I would like to speak at greater length about the shape and nature of the state of South Australia that we inherited in 1993 and the shape and nature of the state that we left for the new government in March this year.

However, in this debate I want to tackle a couple of areas. As I said, I know that I speak on behalf of my colleagues during this particular section of the debate. In April this year I was appalled to read a column of Terry Plane in the *Messenger* headed 'Make-or-break time for lagging SA'. To be fair to Mr Plane, he is not known to be sympathetic to Liberal governments and causes—that is perhaps the kindest way to put it. He is a close friend and former working colleague of Mike Rann, the now Premier. Perhaps he is not as close these days as he might have been in other years. Nevertheless, everyone knows where Mr Plane's politics lie even if he does not make that plain himself. In this article, Mr Plane says:

New government, new opportunity. Chance to get the joint moving, generate activity, push the dollars around. Last chance, according to Chancellor Foley. Don't get it right this time and we're consigned forever to being a backwater. Economically. Dramatic or direct? The evidence is that he's right on the money. The SA economic boom the Liberals described during the February election campaign does not exist.

Then who does he trot out to support his argument but my good friend and colleague, Dick Blandy of the University of South Australia's Centre for Applied Economics and Hawke Centre and International Business School. He quotes Dick Blandy, but I will not go through all the details about why, from the viewpoint of Dick Blandy, Terry Plane and Kevin Foley, basically the state is virtually on its last chance and struggling badly when compared to everybody else. He goes on to be critical of the policies of the former government. He quotes some statements and very simple policy options of Prof. Blandy, such as:

The inherited budgetary deficit of \$200 million needs to be wiped out and the budget brought into surplus within four years.

He then talks about some options for the Economic Development Board and Mr Champion de Crespigny as to what he should do. In the concluding paragraph, Mr Plane says:

If Foley and Blandy are right—and they both make a lot of sense—

that says a lot about Terry Plane—

this four years is indeed make or break time for SA.

That was one of his columns, and another one of a number that got up my—

**The Hon. T.G. Roberts:** It's hardly national press, is it—*Messenger Press Adelaide?*

**The Hon. R.I. LUCAS:** Well, let me talk then about the *Australian* newspaper. There was also an editorial of a similar nature to the article by Terry Plane which is all about Mr de Crespigny. It states:

He will not be paid a fee for undertaking the task of revitalising an economy which has been described as rustbelt for almost a decade. . . South Australian business has been used as a bidding platform, Mr de Crespigny said, warning we are not the only state trying to lure business. . . Mr Foley described Mr de Crespigny and Dr Sexton as doers and said that the government had four years to fix this economy and 'we're fair dinkum about it'.

The editorial in about the same time—March this year—again referred to a rustbelt economy that had been inherited by this new government supported by Mr de Crespigny and Dr

Sexton and the challenge that was ahead for them. I wrote letters to the editor—

**The Hon. T.G. Roberts:** I didn't see them.

**The Hon. R.I. LUCAS:** That's exactly why I am raising them. I wrote letters to the editor putting a different point of view. Surprise, surprise, the *Australian* did not publish it and neither did the Messenger Press—could not even get published in the Messenger Press—and maybe, if I read the letter to the Messenger Press, members will understand why they did not print it. The letter, dated 1 May, states:

Dear Sir,

People are getting sick and tired of recent attempts by Messrs Plane, Foley and Blandy to portray South Australia's economic performance as bleakly as they can. Mr Plane's article (23/4/2002) criticises Liberal claims of an SA economic boom and refers to 'last chance' and the possibility of our state being forever consigned to being an economic backwater.

On 19 April the respected and independent SA Centre for Economic Studies released their regular briefing with this introduction, 'SA economy buoyant, but both risks and prospects rise'. They concluded that the SA economy had grown 'surprisingly strongly since the middle of last year' and highlighted booming exports, strong growth in building activity and consumer spending and proposed growth in business capital investment. Retail sales reflected an 'amazing'—

to use their words—

11 per cent growth on the previous year and importantly they noted that SA businesses were projecting a 37 per cent increase in capital investment next year.

Access Economics also last year described SA's recent economic performance as an 'untold success story'.

The latest March unemployment figures are only 6.6 per cent compared to the peak of 12 per cent achieved by Mr Plane's mate Mike Rann when he was Minister for Unemployment. . .

That might be why it did not get a run. The letter continues:

The *Financial Review* also noted (12 April 2002) that SA's recent job growth figures were the third highest of all states and territories.

It is true that our economy is not perfect and faces challenges such as our low population growth but the facts actually show a significantly improved SA economy when compared to the economy inherited from the Labor government in the early 1990s.

The new government and its supporters should get on with the job rather than attacking the previous government and the state's recent economic performance.

Surprise, surprise, that letter was not published by the Messenger Press. However, my view remains the same; that is, if Mr Foley (the Treasurer) and the Premier seek to portray an economy which is still a rust belt and which is on its last chance, then they will buy an argument with members of the former government and the current opposition on that issue. Yes, there are challenges, but this economy that has been left to the incoming government is much healthier and much stronger than the economy that was left for the incoming Liberal administration in 1993. Similarly, I wrote on 1 May to the editor of the *Australian* in a yet to be published letter—

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

**The Hon. R.I. LUCAS:** The Hon. Terry Roberts suggests that I might write to the *Adelaide Review* next. The letter dated 1 May states:

Dear Sir,

My attention was recently drawn to a recent *Australian* editorial (6/3/2002) headed 'Rann's task is to revive a stagnant state' which claimed Mr Rann had inherited a rust-bucket economy.

Whilst the anti-liberal views of the *Australian's* South Australian political correspondent Terry Plane are part of the public record it is disappointing when such an unbalanced approach also reaches the editorial columns.

I interpose that it may well be that that paragraph has meant that my letter did not get published as well. The next

paragraph is the same paragraph as in the letter to the Messenger Press. The letter further states:

In fact ABS figures show that over the last three years export growth from SA businesses has outstripped all other states.

Access Economics also last year described SA's recent economic performance as an 'untold success story'.

The latest March unemployment figures for SA were only 6.6 per cent compared to the peaks of 12 per cent achieved by Mike Rann when he was Minister for Unemployment. The *Financial Review* has noted that SA's recent job growth figures were the third highest of all states and territories.

When the Liberal government was first elected in 1993, SA's unemployment rate was actually 1.1 per cent higher than Queensland's rate whilst on the latest figures SA's rate of 6.6 per cent was now 1 per cent lower than Queensland.

It is true that our economy is not perfect and faces challenges such as low population growth but the facts actually show a substantially improved SA economy compared to the economy inherited from the Labor government in the early 1990s.

In concluding on that issue, and as I said during my contribution to the Appropriation Bill, I want to address at some greater length the state of the economy that we left for the incoming government. However, the last paragraph in the letter to the *Australian* is a pretty good summary in terms of the state's employment performance over recent years.

In 1993, if a member of parliament had said, 'Look, by 2001 South Australia's unemployment rate would be significantly less than Queensland's', they would have been laughed out of the discussion. At that stage, allegedly people were leaving South Australia to go to not only Queensland but also Victoria and New South Wales. As my figures demonstrate, Queensland's unemployment rate was significantly less than South Australia's unemployment rate. In the space of eight years, Queensland has gone backwards and South Australia has gone forwards. Our unemployment rate is now significantly less than Queensland's. More needs to be done. At 6.6 per cent we accept, as do all the other states, that we would like to see lower rates of unemployment in South Australia.

**The Hon. T.G. Cameron:** Ours was not lower because all those South Australians went to Queensland looking for work, was it?

**The Hon. R.I. LUCAS:** No, although that was the argument used from 1993 to 1995. We have a position now where our state is performing pretty well. It is not perfect, but indeed I note that Business SA's Peter Vaughan said—I note after the election—that the South Australian economy's performance this year was the best—I think he was talking about economic and social performance—that it had been in 20 years in terms of the way in which this state was performing. With due respect to Mr Vaughan, Business SA and others, I doubt whether even the Rann government in its more modest moments would claim credit for having achieved all of that in the space of less than two months.

On that basis, I flag the opposition's support for the Supply Bill, but I also flag that we will continue to pursue untruthful statements made by the Premier and the Treasurer by way of substantive motion and other means at our disposal whenever we can, whenever they seek—

**The Hon. T.G. Roberts:** Don't write letters to the editor.

**The Hon. R.I. LUCAS:** Well, I won't—to concoct this particular story of the black hole and the parlous state of the state's economy that allegedly was left to them when they came to government.

**The PRESIDENT:** Before I call the Hon. Ms Laidlaw, the Supply Bill before us talks about the provision of a sum of \$2 600 million as appropriated from the Consolidated



Account for the Public Service of the state for the financial year ending 30 June 2003. In the lower house, members canvass a great deal of ground. In the lower house, there is provision for grievances which are not normally conventions that we hold in the council. Yesterday, the Hon. Carmel Zollo—and this is not a criticism of the Hon. Carmel Zollo particularly because she is an astute member of parliament—was the first speaker in the debate and did canvass rather far and wide. Therefore, as a matter of natural justice I have allowed the Leader of the Opposition a fair deal of latitude to canvass some of the issues that were raised in her contribution and in another place.

However, it is my intention to have all other members refer to the bill, as is the responsibility of all of us within the conventions of this council. I ask members to confine their remarks to the Public Service and the functions that they perform now or as they may be transferred as the bill provides. I will be allowing the Leader of the Government, in his final contribution to close the debate, to address any of the issues that may have been raised by the Leader of the Opposition. I ask all members to now go back to the conventions of the Legislative Council and refer to the bill. Any comments members want to make about policy must refer to how they apply to this bill.

**The Hon. DIANA LAIDLAW:** I indicate that I support the second reading of this bill. In addressing the bill, and the appropriation of some \$2 600 million from Consolidated Revenue for the Public Service of the state, I have to acknowledge at the outset that I am bemused by all the plaintive and pathetic moans and groans from government ministers and members opposite about how tough it is for them to prepare a budget for the forthcoming financial year, how tough it is for them to make a decision on any matter and how tough it is for them to keep their policy promises because of a so-called tough budget situation that they have inherited.

The reality is that the budget circumstances confronting Labor today are the easiest, easiest I repeat, that any government has encountered in over a decade. I certainly wish that during any time in the past eight years that I was a member of cabinet the economic fortunes of the state and the budget parameters generally had been as easy and as rosy as they are today. If I was in cabinet today and party to forming a budget I would think I was in seventh heaven compared to the hell that Labor left the Liberals to clean up some 8½ years ago.

I have no sympathy, Mr President, and no time for the spineless wails of budget blues, budget blow-outs and black holes that we hear daily from ministers and members opposite. They do not face, nor do they have to tackle—and the former treasurer and now shadow treasurer made this point very well in his earlier contribution—an accumulated state debt of some \$9 billion, which in today's terms I understand is over \$10 billion. Nor does Labor today have to face or tackle an annual budget overspend in cash terms of \$300 million, and nor does labor have to experience an adult unemployment rate of some 12.07 per cent that the Liberals inherited some 8½ years ago. And thanks to all the work of a Liberal government over the past 8½ years the accumulated state debt is now down to \$3.2 billion, and that is a really important—

*Members interjecting:*

**The Hon. DIANA LAIDLAW:** Well, wouldn't it be better if it was further down? If Labor had helped us sell ETSA earlier we would have been able to put even more

money towards reducing that debt. It is important that the Labor Party recognises how fortunate it is to be in government at a time when the state debt and budgets have been left in a balanced position because, with interest rates rising, if we had not done the work for it it really would be in trouble today. It has an easy run, particularly in comparison to what we had to experience in terms of the circumstances we inherited.

I would also say to honourable members opposite—not only the ministers but the members—do not be taken in by treasurer Foley about the 'bleak situation', as I know the power plays that Treasury and the Treasurer will often seek to undertake. I must admit that the one thing I do not miss about being in government is the fights that I had to prepare for every Sunday night in preparation for cabinet every Monday. And it was a fight, because you just cannot follow a Treasury-led economy and policy and program for the state. There are broader agendas. Just do not let Mr Foley run this government and this state single-handedly without challenging him and the propositions that are brought forward, because, as the Hon. Robert Lucas has just identified, there are factual errors in the material that the Treasurer has presented publicly, and clearly has argued with the budget—and I just name the bus purchase program. So, I say to honourable members, when they keep talking about black holes and budget blow-outs: be careful not to believe, and be bluffed by, the Treasurer. Stand up for what you want, and fight for it. Do not just run his line and his—

**The PRESIDENT:** I think the honourable member was about to make that point in respect of the Supply Bill.

**The Hon. DIANA LAIDLAW:** That is right. They must fight, Mr President, for what they believe in in terms of the appropriation of funds in this state.

*The Hon. Sandra Kanck interjecting:*

**The Hon. DIANA LAIDLAW:** The Hon. Sandra Kanck asks about how often I won. I think the accusation that was levelled at me most often by my colleagues is that I won too often. I spent a lot of time plotting and planning to ensure that I won, but it was an enormous amount of creative energy that could have been more enjoyably spent on a Sunday night. I say to honourable members opposite: do not believe all that you are fed. It is important to fight for your beliefs in the way in which the appropriation that we are voting today is allocated.

**The Hon. R.K. Sneath:** Are you saying all treasurers tell porkies?

**The Hon. DIANA LAIDLAW:** They have a job to do, but it is not the sole job of government. We all have a collective responsibility, as well as an individual responsibility. I can tell you that you never stop fighting for what you believe in. I am just fearful that, from what I hear from honourable members opposite in terms of appropriation, they are being too easily led by the Treasurer in terms of situations that put the Treasurer in a very powerful position. Collectively, you will find it difficult to respond to that if you let him get the upper hand too early. I argue that the appropriation of \$2 600 million that we are asked to vote on today must be for the good of the state, not just the ego of the Treasurer, or the agenda of Treasury, because the two are not always the same. Treasury has to be challenged.

The report that the government received on public sector responsiveness in the 21st century—the report prepared by the Hon. John Fahey in partnership with the Hon. Greg Crafter, a former Labor minister, and Mr Rod Payze, a former head of Transport SA—makes very clear what I have just

been saying: do not let this state be solely run to meet the agenda of Treasury, because the state's broader social, economic and environmental agenda is too important.

The report is also interesting in the way in which it demonstrates how priorities are set in this state. It is as important for the opposition as it is for government members that we look at what the Fahey report talks about in terms of 'a disciplined application of triple bottom-line principles,' not just Treasury principles. They have to be social, as well as environmental, in terms of costs and risks—and not just Treasury's assessment of costs and risks, because they are too often too narrow.

I also highlight that, having passed on that bit of free advice, but sound advice, to government members and ministers opposite, they should also make sure that they keep an eye on the new funds that are coming to this government that the former Liberal government never enjoyed, although we created the environment for these new funds to be realised in terms of creating a stronger state overall.

It is fantastic to see property prices and transactions soar; new car sales and registrations soar; and the buoyancy and great spirit within regional areas of the state in terms of great prices for lamb, beef, pigs, wheat, grain and grapes. It is all coming together for the benefit of this government in terms of setting its policy agenda and for the longer term benefit of the state. GMH is performing in an outstanding way, as is Mitsubishi, the IT industry and biotechnology. Tourism is a bit bleak at the moment because of the Ansett collapse and 11 September and other factors, but domestic tourism overall appears strong.

In addition, this government has the benefit of a forecasted boost in GST payments on the horizon. I summarise some of the positives in this state at this time for this government in framing a budget compared with what the Liberals had to endure during the past eight years; and certainly today, by comparison with the past eight years, life is bliss.

Today, in terms of the appropriation, I want to make reference in Transport SA, as well as across other agencies, to money which the former government provided in this financial year and in forward estimates. It is absolutely critical that this government ensures that long term it honours these forward estimates commitments. I begin with the regional road program, and I seek leave to table the \$2.2 million forward program not only for this financial year in terms of appropriation but also through to the year 2004-05.

Leave granted.

**The Hon. DIANA LAIDLAW:** This funding comes from increases in heavy vehicle registration charges. I note that the Minister for Aboriginal Affairs and Reconciliation mentioned earlier, in answer to a question today about B-doubles, heavy vehicles and road wear. As I recall, heavy vehicle registration charges were increased following a vote by transport ministers Australia-wide in 1999 and commenced in the year 1999-2000. The former government, unlike any other government across Australia, dedicated all the increases from the commencement date of the increases to the regional road program; that is, the state allocated all heavy vehicle registration charge increases to local roads that were deemed to be of importance for freight and tourism purposes.

As I indicated, these funds have been not only dedicated for that purpose in the forward estimates of Transport SA but also dedicated to particular programs across the council areas of the Lower Eyre Peninsula, the Copper Coast, the Wakefield council, the Tatiara-Kingston District Council, the

City of Mount Gambier, the District Council of Grant, Mallala, Alexandria, Wattle Range, Ceduna and Southern Mallee. In every instance that forward program has been provided because we seek matching funds from the local councils for the sealing of those local roads. Councils in all those areas I mentioned would be making provision on the basis of this forward program, and I trust this government will not let down those councils or the communities they serve.

The former government undertook, over 10 years from 1994 to 2004, a major initiative to seal all roads that were the responsibility of the state as arterial roads in incorporated council areas. At the time that commitment was made there was a total length of 436 kilometres to seal. My calculations are that there are 145 kilometres to go; that \$63.84 million has been provided for that program so far; and that the rest of the money required to complete that undertaking to seal all rural arterial roads in incorporated areas of the state is in forward estimates to the end of the financial year 2004. So, I trust, again, that this government will not renege on that 10 year program and will not withdraw funds in forward estimates for Transport SA to complete its responsibilities for sealing every state arterial road by 2004.

The former Liberal government also provided forward funds for un-kerbed urban arterial roads. Cabinet actually approved an expenditure program for the upgrade of these roads on 30 April 2001, and the forward commitment made was \$3.4 million during this financial year 2001-02 to \$3.8 million during 2004-05. This is to ensure that, where there has been such rapid expansion of the metropolitan area to the north and south and through Tea Tree Gully, the arterial roads that have never been kerbed, or had proper stormwater facilities and footpaths, will now be funded in that regard on a joint basis by the state government and the local council. Again, that program was outlined in advance with funding dedicated in forward estimates for this purpose to the year 2004-05 to ensure that local councils could equally match those funds in their forward estimates and provide for those programs. In terms of appropriation, I will be keeping an eaglehawk eye on this government to ensure that it does not renege on those forward estimates or expectations of the respective councils.

Transport SA also prepared a strategy, and funds were argued and won by me for a shoulder sealing program across the state. Mr President, I know that, in your former role in the very seat in which I now sit, you were very diligent in wanting to see further shoulder sealing of roads, particularly up to your home town of Port Pirie but generally across the state.

**The Hon. T.G. Roberts:** And overtaking lanes!

**The Hon. DIANA LAIDLAW:** And overtaking lanes. I will come to that in a moment, because there is also a forward program for overtaking lanes. But, simply for the shoulder sealing program, I indicate that a total of \$14.95 million has been committed by the former government to future governments, consisting of \$3.4 million for this financial year (2001-02); \$3.65 million in 2002-03; \$3.9 million in 2003-04; and \$4 million in 2004-05.

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

**The Hon. DIANA LAIDLAW:** We put this out in forward estimates to make sure that we secured what we needed for not only road safety but also the freight delivery expectations of rural communities, and to cope with the phenomenal regional development that was happening across the length and breadth of South Australia.

*The Hon. R.K. Sneath interjecting:*

**The Hon. J.S.L. Dawkins:** I didn't quite hear that, Bob. Did you say that you might have other priorities?

**The Hon. DIANA LAIDLAW:** What, other than regional areas?

**The Hon. J.S.L. Dawkins:** They might have other priorities.

**The Hon. R.K. Sneath:** We might have more important priorities in regional areas.

**The Hon. DIANA LAIDLAW:** What, other than shoulder sealing? What is the point of putting money into industry if you cannot get the goods to market?

*The Hon. R.K. Sneath interjecting:*

**The Hon. DIANA LAIDLAW:** What are you going to make safer?

**The Hon. R.K. Sneath:** Passing lanes make it safer.

**The PRESIDENT:** Order! There is a lot of chattering.

**The Hon. DIANA LAIDLAW:** Don't abandon shoulder sealing.

**The PRESIDENT:** The Hon. Mr Sneath will not divert Ms Laidlaw away from this very important Supply Bill, which she is addressing assiduously.

**The Hon. DIANA LAIDLAW:** That is right; I am. I highlight that not only did we provide for your favourite issue, shoulder sealing, in terms of road safety but also we provided for the Hon. Mr Sneath in terms of overtaking lanes; and, in the forward estimates, I won the support of the—

**The Hon. R.K. Sneath:** There is not one between Clare and Adelaide!

**The Hon. Caroline Schaefer:** We'd like a couple, though!

**The Hon. R.K. Sneath:** Yes, we'd like a couple.

**The Hon. DIANA LAIDLAW:** You go and argue that. What I would highlight, on the state arterial roads, the funding that I fought for, and to which cabinet agreed, and which is in forward estimates, is some \$6 million for each of the next four years, that is 2001-02 to 2004-05. If you can get more than that, I wish you well, but I can tell you that it was a hard fight to get those funds. It was important that it was not just voted for on an annual budget basis. It was important that it was in the forward estimates of Transport SA's budget—and it is there. You have to make sure that Treasury and the Treasurer do not take it away from projects that are important.

**The Hon. T.G. Roberts:** I'll have to bring you in next year's bilaterals!

**The Hon. DIANA LAIDLAW:** Yes, I would love it. I am sure that Treasury officers were more thrilled to see me go than anybody else across government was pleased to see me go, and I know there were some who could not wait for me to go, because they were non-performers.

**The Hon. T.G. Roberts:** Name them!

**The Hon. DIANA LAIDLAW:** I have already told the new ministers whom they should watch out for.

*The Hon. R.K. Sneath interjecting:*

**The PRESIDENT:** Save it so that you can mention them in your contribution to the Supply Bill.

**The Hon. DIANA LAIDLAW:** They are all public servants in terms of appropriation, and some I would not provide any appropriation for at all, Mr President. I want to speak in terms of one specific subject, just having addressed those Transport SA forward budget commitments, and that is the future of Carrick Hill located in the Mitcham council area at Springfield, a property bequeathed to the state by the late Sir Edward and Lady Hayward. The property, as we

would all appreciate, was bequeathed generously in capital terms in respect of the house, the land and the art collection, but with no provision for ongoing maintenance.

This has been a vexed issue before this parliament for several years. The Hon. Anne Levy, as arts minister, sought the sale of some land to help support a sculpture park, and thereby generate more visitation. That was not progressed following the determination of a select committee. I also moved the establishment of a select committee for the sale of up to 34 blocks to generate at that time up to \$8 million to put in trust to pay for the maintenance of the house and the operating costs generally for the estate. Opposition in terms of evidence generally persuaded the select committee not to progress with the sale of that land at that time.

But that conclusion was on the understanding that Carrick Hill was supported in terms of its functions so that the operating subsidy through Arts SA would not continue to escalate at the same rate. I should indicate that, at the time of the select committee that I chaired back in 1996, the taxpayer subsidy per visitor was some \$11.50. That operating subsidy was double that of institutions under the umbrella of the History Trust, such as the Birdwood Mill, the Maritime Museum and the Migration Museum. It was certainly considered by various means, either by the sale of land to offset taxpayer subsidy, or by increased visitation through a much more aggressive function, hospitality and entertaining policy, that Carrick Hill could be put on a much more secure, long-term financial footing.

In terms of appropriation through Arts SA to Carrick Hill, I want to make reference to some of the evidence given to the select committee by Mr Daryl Stillwell and others representing the Springfield Estate Residents Association, who were vehemently opposed to the sale of land. I mention their contribution today because that same group of people have taken Carrick Hill to the Liquor Licensing Court at the moment, threatening the withdrawal of the licence which would completely see all the entertaining and function dollars raised by Carrick Hill at the present day lost, and increased appropriation required from taxpayers. As I mentioned, the taxpayers' subsidy per visitor was \$11.50 back in 1996, and with increased visitation today, but with increased costs, I understand that that proportion has changed little over the last six years.

**The Hon. R.K. Sneath:** Did you say 34 allotments were worth one point—

**The Hon. DIANA LAIDLAW:** The aim was that the sale of 34 allotments would realise some \$8.1 million.

**The Hon. R.K. Sneath:** How big are the allotments?

**The Hon. DIANA LAIDLAW:** They are large allotments. The Springfield Estate residents and others were adamantly opposed, and I want to read some of the reasons why. These are important in the context of their current—

**The Hon. R.K. Sneath:** That is 300 and something thousand dollars an allotment, is it?

**The Hon. DIANA LAIDLAW:** It would be more today. Mr Stillwell says, on behalf of the Springfield Estate Residents Association:

First, we are here as a committee of management not to represent the interests of a selfish or myopic group of people who might have elitist views about Springfield and the furtherance of Springfield Estate in the years ahead. . . . As a committee of management and as an association we are great believers of the critical importance of the Carrick Hill Estate for the good not only of all South Australians but, indeed, of all Australians.

He goes on to say that the residents association believes that Carrick Hill represents an estate that is truly one of the jewels in the Crown of South Australia. They are, however, prepared to see it closed. On page 123 of Mr Stillwell's evidence he says:

... we are concerned primarily as South Australians that such a vast tract of land [that is, in terms of the sale of the 34 blocks] could even be considered for subdivision, when we believe that all other options to try to help subsidise the future financial self-sufficiency of Carrick Hill have not been completely explored.

He says further on that page that they are prepared, as an association, to consider 'other entrepreneurial activities' that they would endorse as appropriate to be undertaken at Carrick Hill. He says on page 126 that much of the value of each allotment in Springfield at that current time derives from the fact that there are only 70 allotments overall in Springfield and, therefore, the proposition of the government of the day for a maximum of 34 would see the estate increased by some 50 per cent. The question was asked of Mr Stillwell whether it was an issue of property value and he replied:

It is an issue of value, yes.

He went on to provide more evidence about the issue—and his obsession about property value for the people who live on the 70 allotments in Springfield, notwithstanding the reference occasionally to Carrick Hill being the jewel in the crown and an asset for the whole state. During the course of his evidence I mentioned this obsession with property value and the fact that all this open space at Carrick Hill was adding to the value of their individual 70 allotments and properties—and, incidentally, Mr Stillwell had purchased his property in Springfield after Carrick Hill had been established as a public venue. I went on to ask Mr Stillwell:

Considering the strength of your views as an association [about property values and the non-sale of land], would you be prepared for the council [that is the Mitcham council] to levy your association to help maintain or cover the costs of operating Carrick Hill?

Mr Stillwell replied:

I would need to put that to our full membership at our annual general meeting in August.

I asked him:

Do you have a personal view?

He replied:

I have a personal view that within reason I would be more than happy to contribute to such a levy. That is only my personal view. We must remember that Carrick Hill is a venue for all South Australians.

I said:

But if we are to try to protect your property values, which you have suggested may be a consideration, it may come at some [personal] cost.

He said:

In principle I have no objection to that.

'That' in the context of what he said, being a levy. I raise today the issue of the levy on Springfield residents in the context of the Supply Bill before us because the Springfield residents late last year took Carrick Hill to court over sound and other issues arising from functions held at Carrick Hill. I should say that all sound testing undertaken at Carrick Hill has been within the legal limits set by EPA. I must also add that the functions policy of Carrick Hill provides for no amplified music. Yet that still does not please the Springfield Residents Association.

I understand that the Carrick Hill management and board have not been able to reach a conciliated settlement before a

representative of the Liquor Licensing Commission. Therefore, the matter goes to court in August this year. This is also important, because the potential to close down Carrick Hill was something that the residents association was prepared to contemplate back in 1996 in its evidence before the select committee, when Mr Stillwell talked about mothballing Carrick Hill rather than selling the land. I have no doubt from what I have heard (and I indicate that it was through a third party who attended the hearing) that some of the residents have a very clear agenda that they would like to keep all the open space at Carrick Hill for their personal and private benefit and see Carrick Hill closed as a public facility for the general benefit of all South Australians and contrary to Sir Edward Hayward and Lady Hayward's bequest to the state.

**The Hon. Sandra Kanck:** If it was closed it would be subdivided anyway—

**The Hon. DIANA LAIDLAW:** I believe that what the Hon. Sandra Kanck says is correct. But that would be a longer term plan and the residents association, led by Mr Stillwell, have a very short-term focus, of personal benefit rather than public good. I am very concerned, in terms of what is happening between the residents and Carrick Hill management board, that the wider public be made aware of what is going on and what is at stake.

**The Hon. Sandra Kanck:** This is the first time I've heard of it.

**The Hon. DIANA LAIDLAW:** Yes. I highlight further to this government that, if the residents are successful before the licensing commission and the licence is withdrawn, Carrick Hill believes that it will lose one-third of its visitation and that it will cost taxpayers, through operating subsidy, about \$130 000 to \$150 000 more a year simply to make up lost revenue through the wider public use of Carrick Hill. That is something that this or any government would have to contemplate in terms of all the other demands.

Finally, in summing up, the issues are complicated further by the fact that the marquee used for Carrick Hill's functions, increased visitation and increased revenue earned in recent years, never had planning approval in the initial days. When I was planning and arts minister and trying to walk a tightrope between both portfolio interests, the Development Assessment Commission, with the backing of the Mitcham council, agreed that the marquee must come down, and the date put on it was October 2002. That undertaking prompted the government through Arts SA and me as minister to find \$100 000 to help the Carrick Hill board of management progress a feasibility study for a function centre at Carrick Hill further away from the residents and soundproofed for their benefit—

**The Hon. Sandra Kanck:** For Springfield residents.

**The Hon. DIANA LAIDLAW:** —for the benefit of Springfield residents—and that would cost some \$2.2 million. I understand there is a budget bid for that \$2.2 million for the next financial year and the following one. I understand this government has not been very sympathetic to that bid at this stage, but hopefully by my highlighting some of those issues today the government will think more broadly about the wider ramifications of not finding funding for that function centre in terms of the potential closure, temporarily or long-term, of Carrick Hill as a cultural institution in this state.

Arts SA in the meantime, I understand, has applied further to the Development Assessment Commission and has an extension on the pulling down of the marquee until October 2003. The funding commitment for capital works from this government in the forthcoming budget is highly important in

terms of Carrick Hill representing its case before the Liquor Licensing Commission to counter the residents' arguments before the Liquor Licensing Commission. I hope that, notwithstanding all the noise issues being within legal limits and notwithstanding an agreed function policy, hopefully the Attorney-General's liquor licensing and loud music issues now before the lower house and soon to come here, will also aid Carrick Hill in addressing some of these issues.

Alternatively, in terms of the appropriation for the public sector in this state I would advocate strongly that a levy be placed on the residents of Springfield to ensure that Carrick Hill is opened in future. They cannot have it all ways. They cannot just have increased property values and argue that case and then seek to take away the licence because they do not like the noise, with Carrick Hill no longer generating the income. They cannot have it all ways. I put on the record that, although I suspect many people in Springfield are Liberal

voters, their selfishness is not something I am prepared to tolerate in the public interest. I do not accept that they are prepared for the art collection to be sold. Meanwhile they have resisted land sales and have resisted every option that governments of all persuasions have looked at, and yet now take Carrick Hill to the licensing court which threatens the very viability of the operation. It is something I will not accept, and I am pleased that this Supply Bill in terms of general appropriation has enabled me to raise those matters in this place today.

**The Hon. R.K. SNEATH** secured the adjournment of the debate.

#### ADJOURNMENT

At 5.21 p.m. the council adjourned until Wednesday 5 June at 2.15 p.m.